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INSTITUTO FEDERAL ELECTORAL

**FEDERAL CODE
OF ELECTORAL
INSTITUTIONS
AND PROCEDURES**

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**COURTESY TRANSLATION
NOT OFFICIAL**



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OF ELECTORAL

INSTITUTIONS

AND PROCEDURES

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Published on August 15, 1990; including the seventeenth and eighteenth transitional articles as established in Public Law and published on July 17, 1992; and reformed by the Public laws and published on January 3, 1991, September 24 and December 23, 1993, and May 18 and June 3, 1994.

FIRST BOOK

The formation of the Legislative and Executive Branches of the Union

FIRST TITLE

Preliminary Provisions

ARTICLE 1

1. The provisions of this Code are for the public order and for general observance in the United Mexican States.
2. This Code regulates the relative constitutional norms for:
 - a) The rights and political-electoral obligations of the citizens;
 - b) The organization, function and prerogatives of the political parties;
 - c) The state function of organizing the elections of the members of the Executive and Legislative Branches of the Union and also the Assembly of Representatives of the Federal District; and

d) The system of forms of objection in order to guarantee the legality of the electoral resolutions and acts.

ARTICLE 2

1. For the fulfillment of their functions, the established electoral authorities of the Constitution and this Code shall rely on the support and collaboration of the federal, state, and municipal authorities.

ARTICLE 3

1. The application of the norms of this Code correspond to the Federal Electoral Institute, the Federal Electoral Tribunal and to the House of Representatives raised in Electoral College for the qualification of the election of the President of the United Mexican States, in their respective scopes of authority.

2. The interpretation shall be done according to the grammatical, systematic, and functional criteria, as stated in the last paragraph of article 14 of the Constitution.

SECOND TITLE

The participation of the citizens in the elections

CHAPTER FIRST

Rights and obligations

ARTICLE 4

1. To vote in the elections constitutes a right and an obligation of the citizen that is to be exercised in order to form the State governmental organs of popular election.

2. The vote is universal, free, secret, direct, personal, and non-transferable.

3. The acts that generate pressure or coercion on the voters remain prohibited.

ARTICLE 5

1. It is the right of the Mexican citizens to establish national political parties and freely belong to them.

2. It is the obligation of the Mexican citizens to be part of the poll boards in the terms of this Code.

3. It is an exclusive right of the Mexican citizens to participate as observers in the preliminary actions and in the development of the electoral process, as well as in the actions taking place on election day, in the forms and terms determined by the General Council of the Institute for each electoral process, according to the following rules:

a) They may participate only through the appropriate accreditation before the electoral authority;

b) The citizens desiring to act as observers should provide in the application form the required personal information attaching a copy of his or her pictured voting card, and the written affidavit stating that he or she will act according to the principles of impartiality, objectivity, certitude and legality and without affiliation to any political party or organization;

c) The accreditation may be requested personally, or through the association to which he or she belongs, before the local or district board that corresponds to his or her address, during the hours established by the General Council of the Federal Electoral Institute; the Boards shall forward the requests to the appropriate Councils for approval, which will be decided within the next session of such councils.

d) The accreditation shall be granted only to those who fulfill, in addition to those established by the electoral authority, the following requirements.

I. Be a Mexican citizen in full enjoyment of his or her civil and political rights;

II. May not be, or have been a member of the national, state or municipal leadership class of any political organization or party in the last three years before the election;

III. May not be, or have been a candidate to popularly elected position in the last three years before the election; and

IV. Attend the preparation or information courses organized by the Federal Electoral Institute or the electoral observers imparted under the guidelines and contents that the proper authorities of the Institute dictate and with their supervised by them.

e) The observers shall abstain from:

I. Substituting or blocking the electoral authorities in the performance of their duties, or interfering in their development;

II. Proselytize for any party or candidate whatsoever;

III. Uttering any offensive expression, slander or slur against the institutions, electoral authorities, political parties or candidates; and

IV. Declaring the triumph of any political party or candidate; and

f) The observation may take place in any party territorial boundary of the Mexican Republic.

g) The citizens accredited as electoral observers may solicit before the corresponding local board, the required electoral information the best development of their activities. Such information will always be portioned as long as it is not confidential by the terms fixed by law, and there exist the material and technical possibilities for its delivery;

h) In the contents of the capacitation that the Executive District Boards imparts to the functionaries of the board of directors of the polling booth, a relevant explanation about the presence of the electoral observers and their rights and duties inherent in their work should be foreseen;

i) The electoral observers may be present with their accreditation and identification on election day in one or more polling booths, and at the site of the corresponding District Council, to observe the following actions:

I. Setting up polling booth;

II. Development of the voting process;

III. Scrutinizing and counting the votes in the polling booth;

IV. Attaching the results of the voting outside of the polls;

V. Closing the polling booth;

VI. Out loud reading of the results in the District Council;

VII. Reception on writing of incidence and protests; and

j) The observers may submit, before the electoral authority, a report of their activities in the manner and times for the effect the General Council determines.

In no event shall the reports, judgments, opinions or concluding remarks made by the observers be given any legal effect upon the results of the electoral process.

ARTICLE 6

1. For the exercise to vote, the citizens must satisfy, besides those established in article 34 of the Constitution, the following requirements:

- a) To be enrolled in the Federal Electoral Register according to the terms of this Code; and
- b) To have the corresponding Credential to Vote.

2. In each *uninominal* electoral district¹, voting is to be done in the electoral section which corresponds to the domicile of the citizen, except for the expressly indicated cases of exception in this Code.

CHAPTER SECOND

Requirements of eligibility

ARTICLE 7

1. The requirements to be a federal deputy or senator, besides those indicated respectively in articles 55 and 58 of the Constitution, are the following:

- a) To be enrolled in the Federal Electoral Register and to have the Credential to Vote;
- b) Repealed.
- c) May not be a magistrate, trial judge or clerk of the Federal Electoral Tribunal, unless he or she withdraws

from the position one year before the registration of candidates;

d) May not belong to the professional personnel of the Federal Electoral Institute;

e) May not be a *consejero*² citizen in the general, local or councils boards of the Institute, nor General Director, General Secretary or Executive Director of the same, unless he or she withdraws from office one year before the date of registration of the corresponding election; nota³

f) May not be a municipal president or political delegate of the Federal District, nor to exercise, under any circumstance, the same functions, except if he withdraws from that office three months before the date of the election;

g) Repealed.

h) Repealed.

ARTICLE 8

1. No person may be registered as a candidate for different popularly elected offices in the same electoral process. Nor can he or she be a candidate for a federal popularly elected position and simultaneously for another in the states or municipalities. In this case, if the registration for the position of the federal election had already been made, the respective registration shall proceed to be automatically cancelled.

2. The political parties may not register, simultaneously, in the same election, more than 60 candidates for federal representatives by relative majority and for proportional representation distributed on their five regional lists⁴.

THIRD TITLE

The election of the President of the Mexican United States and of the members of the Chamber of Senators and the Chamber of Deputies

CHAPTER FIRST

The electoral systems

ARTICLE 9

1. The exercise of the Executive Branch is placed in one individual who is named President of the Mexican United States, elected every six years by a relative majority and direct vote in all the Republic.

ARTICLE 10

1. The Legislative Branch of the Mexican United States is placed in a General Congress, that is divided into two Chambers, one of Deputies and the other of Senators.

ARTICLE 11

1. The Chamber of Deputies is made up of 300 elected deputies according to the principle of relative majority vote, through the system of *uninominal* electoral districts, and 200 deputies who shall be elected according to the principle of proportional representation, through the system of regional voting lists in *plurinominal* circumscriptions⁵. The Chamber of Deputies shall be renewed, in its entirety, every three years.

2. To integrate the Chamber of Senators, in every State and in the Federal District, four senators shall be elected, from which three will be elected according to the relative

majority vote principle and another will be assigned to the first minority for each state and the Federal District, the political parties shall register a list with three candidates formulas:

3. In the list referred to in the preceding paragraph, the political parties formulas, will appear.

4. The first minority senatorship shall be assigned to the leading candidates formula from the political party that, by itself, has occupied second place in the number of votes of the corresponding entity.

5. The Chamber shall be completely turn over, by direct election, every six years.

CHAPTER SECOND

The proportional representation for the formation of the Chamber of Deputies and the formulas of assignment

ARTICLE 12

1. For the application of Section II of article 54 of the Constitution, *votación emitida*⁶ is understood as all the votes that are deposited in ballot boxes.

2. In the application of Section III of article 54 of the Constitution, for the assignment of seats by proportional representation, national votes cast shall be understood to mean whatever results from reducing to the total votes cast the votes which favor the political parties that have not obtained 1.5% and by the invalidated votes.

3. In the application of Section VII of article 54 of the Constitution for the assignment of representative seats,

the votes received by the political party to whom the limits established in the Sections IV, V and VI of the same article 54 of the Constitution should have been applied shall be subtracted from the VOTACION NACIONAL EMITIDA.

ARTICLE 13

1. For the assignment of proportionally representative seats in the House of Representatives based on Section III, article 54 of the Constitution, a formula of pure proportionally shall apply, following the next elements:

a) Unit quotient; and

b) Major remain.

2. Quotient unit: results from dividing the votación nacional emitida by the 200 proportionally represented deputies.

3. Major remain of votes: is the highest remainder of the rest of the votation for each political party once the distribution of representatives through the quotient of unit is made. The major remain will be used when there have been some deputy seats to distribute.

ARTICLE 14

1. For the application of the aforementioned formula, the next procedure shall be followed:

a) First one must determine whether there is a case to enforce against any political party the limit(s) established in Sections IV, V and VI of article 54 of the Constitution, in pursuance thereof:

I. The number of representatives assigned to every political party, shall be determined in accordance with the times of the quotient of unit contained in the votes; and

II. Those distributed by major remain if there is any representative seat to apportion after applying the quotient of unit, by following the decreasing order of votes that were not utilized for each political party in the assignment of representatives.

b) If there is no opportunity to enforce any of the limits set by Sections IV, V and VI of article 54 of the Constitution, the distribution of representatives seats shall be made in the manner established in the following article; and

c) In the case of the disposition stated in Section VII of article 54 of the Constitution shall be applied articles 16 and 17 of this code.

ARTICLE 15

1. For the distribution of seats by proportional representation for every political party in the House by plurinominal circumscription, for the assignment referred to in the aforementioned article, the procedure shall be as follows:

a) Every political party's votación nacional emitida shall be divided by the number of their representatives by proportional representation to obtain their distribution quotient;

b) The political party's votes in each of the plurinominal circumscriptions shall be divided by their respective distribution quotient, resulting in number of representatives assigned for each plurinomial circumscription; and

c) If after applying the distribution quotient there is any representative seat to apportion, the major remain shall be utilized so that each political party may have one in every circumscription, until completing up its seats, in a decreasing order.

ARTICLE 16

1. For the assignment of proportional representation seats in the House in the light of the disposition established in Section VII of article 54 of the Constitution, the procedure shall be as follows:

a) The number of representatives assigned to the political party shall correspond to Sections IV, V and VI of article 54 of the Constitution shall be determined:

b) For the distribution of proportional representatives by plurinomial circumscription to such political party the disposition of the aforementioned article shall be followed; and

c) Once made by the distribution referred to in the preceding paragraph, the remaining seats for representatives shall be apportioned to the other so entitled according to the terms established in the following article.

ARTICLE 17

1. For the assignment of the representatives seats referred in the paragraph c) of the aforementioned article, the following procedure applies:

a) The votes of the political party to which the limits from sections IV, V and VI of article 54 of the Constitution have had been applied it shall be subtracted from the votacion nacional emitida;

b) Once obtained the adjusted votacion nacional, which is the one described in the last paragraph, the assignment of representative seats for each political party shall follow in proportion to its votes at the national level, according to article 13 of this Code. Thereby, quotient of units is the result of dividing the adjusted votacion nacional by the number of proportional representatives pending for assignment; and

c) For the distribution of representatives by plurinominal circumscription to each political party, the disposition of article 15 of this Code shall apply.

ARTICLE 18

1. In all cases concerning the assignment of proportional representation the order to follow is the one observed for the candidates in the regional lists.

CHAPTER THIRD

Supplementary Provisions

ARTICLE 19

1. The ordinary elections must be held on the first Sunday of July of the corresponding year (**the third Sunday of August, 21, 1994, in pursuance to Section I of eighth transitory article D. O. 24/IX/93**) to elect:

a) Federal deputies, every three years;

b) Senators, every six years; and

c) The President of the United Mexican States, every six years.

2. The day on which the ordinary federal elections must be held is to be deemed as a day of no work in all of the national territory.

ARTICLE 20

1. When an election is declared void or composers of the winning formula were not finally eligible, the summons for the extraordinary election must be issued within forty

five days following the conclusions of last stage of the electoral process.

2. In case of vacancies by members of the Congress of the Union elected by the principle of relative majority, the corresponding Chamber shall convoke to hold extraordinary elections.

3. The vacancies by members of the Chamber of Deputies elected by the principle of proportional representation, must be substituted by those candidates of the same party, following the order established on the respective regional list after the corresponding deputies have been assigned.

ARTICLE 21

1. The summons to hold extraordinary elections may not restrict rights that this Code recognizes for the citizens of Mexico and for the national political parties nor change the established procedures and formalities.

2. The General Council of the Federal Electoral Institute may adjust the established terms this Code accords to the date noted in the respective summons.

3. A political party with its registration suspended or canceled before the date of the ordinary or extraordinary elections are held, may not compete in such elections. However, that party may participate in an extraordinary election even though it had lost its registration only where it had presented a candidate in the ordinary election which had been declared void.

SECOND BOOK

The political parties

FIRST TITLE

Preliminary Provisions

ARTICLE 22

1. The political organization or group which attempts to participate in the federal elections must obtain the corresponding register before the Federal Electoral Institute. To obtain the register there shall be two procedures:

- a)** Definite register; or
- b)** Conditional register.

2. The denomination of "national political party" is reserved, by the effect of this Code, for the political organizations with definite register.

3. The registered political parties have legal standing and enjoy the rights and prerogatives as well as they are sub-

ject to the duties established in the Constitution and in this Code, according to the type of register issued.

ARTICLE 23

1. The political parties, in order to accomplish the objectives established in the Political Constitution of the United Mexican States, must adjust their conduct to the established provisions present in this Code.

2. The Federal Electoral Institute shall ensure that the activities of the political parties conform to the law.

SECOND TITLE

Their constitution, register, rights and obligations

CHAPTER FIRST

The procedure for the definite register

ARTICLE 24

1. For an organization to be registered as a national political party, it must comply with the following requirements:

a) Formulate a declaration of principles and, in agreement with them, an action program, and statutes which regulate its activities; and

b) Have at least 3,000 supporters, no less, in each of half of the federal states, or it may have 300 supporters, no less, in each of half of the *uninominal* electoral districts; in neither case is the total number of its supporters in the country to be less than 65,000.

ARTICLE 25

1. The declaration of principles shall invariably contain, at least:

a) The obligation to observe the Constitution and to respect the laws and institutions that emanate from it;

b) The formulation of ideological principles of political, economic, and social character;

c) The obligation not to accept a pact or agreement that subjects or subordinates the organization to any international organization or makes it depend on foreign political parties or entities; likewise, not to solicit, or if it is the case, to reject all kind of economic, political, and propaganda support which comes from foreigners or from ministers of any religion or sect, as well as from religious associations or organizations and churches and from any person who is forbidden to finance political parties in this Code; and

d) The obligation to conduct its activities by peaceful means and in a democratic way.

ARTICLE 26

1. The action program shall determine the measures for:

a) Carrying out what is postulated and to reach the expressed objectives in its declaration of principles;

b) Proposing political objectives to resolve national problems;

c) Educating its supporters, ideologically and politically, infusing in them the respect of the opponents and their rights in the political struggle; and

d) Preparing the active participation of its participating members in the electoral process.

ARTICLE 27

1. The statutes shall establish:

a) The denomination of the party, the emblem and color or colors that characterize and differentiate it from other political parties. The denomination and emblem are not to have religious or racial allusions;

b) The procedures for free and peaceful affiliation of its members, as well as their rights and obligations. Within those rights shall include the right of personal participation or by means of delegates in assemblies and conventions, and to be a member of the directive bodies;

c) The democratic procedures for formation and renovation of the directive bodies, as well as the functions, faculties, and obligations of the directive bodies. Along with these bodies, must also include, at least, the following:

I. One national assembly or the equivalent;

II. One national committee or the equivalent, that shall be the national representative of the party; and

III. Committees or the equivalent in the federal states.

IV. A body accountable for the administration of its financial resources and assets and for the presentation of the reports of its annual income and expenses and for the campaign as referred to in to Section I of article 49-A of this Code.

d) The norms for the democratic nomination of its candidates;

- e) The obligation to present an electoral platform, in each election in which it participates, which is maintained in its declaration of programs and principles of action;
- f) The obligation of its candidates to sustain and to express the electoral platform, during the electoral campaign in which they participate; and
- g) The applicable sanctions of the members who violate its internal provisions and the corresponding means and procedures of defense.

ARTICLE 28

I. In order to constitute a national political party, the interested organization shall notify its intention to the Federal Electoral Institute and shall previously fulfill the following acts, which tend to demonstrate that the organization complies with the noted requirements in article 24 of this Code:

a) To hold, in each one of the federal states or electoral districts, which is referred to in clause b) of article 24, one assembly in the presence of a lower court (*judge a quo*) or district municipal judge, or notary public, or certified functionary of the Institute for such a purpose, who certifies:

I. The number of supporters who meet in the state or district assembly; who know and approve the declaration of principles, the action program, and the statutes; and who endorse the document of formal manifestation of affiliation; and

II. That, with the persons mentioned in the previous part, the organizations make supporter lists with the first names, last names, residences, and the code of the Credential to Vote of their supporters.

b) To hold one national constitutional assembly before the presence of the designated functionary from the Institute, who certifies:

I. That the alternate or primary⁷ delegates who were elected in the state or district assemblies were in attendance;

II. That the organizations certified, by means of the corresponding records, that the assemblies were held in conformity with what is prescribed in clause a) of this article;

III. That the identity, and residence of the delegates to the national assembly are verified, by means of the Credential to Vote or other authentic documentation;

IV. That the declaration of principles, action program, and statutes were approved; and

V. That supporter lists were formed with the other participating members, that make up the organization in the country, with the objective to satisfy the minimum requirement of 65,000 supporters required in this Code. These lists shall contain the required information in part II of the previous clause.

2. The cost of the required certifications in this article shall be charged to the Federal Electoral Institute budget. The authorized functionaries, in issuing those certifications, are obliged to carry out the corresponding actions.

3. In any case, the interested organization may have a non-extendible period of one year to complete the constitutional procedure and to present the petition of register, referred to in the next article. If not, the notice shall cease to have effect.

ARTICLE 29

1. Once the acts related to the constitutional procedure of a national political party are fulfilled, the interested or-

ganization must present, before the Federal Electoral Institute, the petition of register, enclosed with the following documents:

- a) The declaration of principles, the action program, and the statutes approved by its members, under the terms of the previous article;
- b) The lists of supporters by states or by electoral districts, referred to in part II of clause a) and part V of clause b) of the previous article; and
- c) The minutes of the assemblies held in the federal states or in the electoral districts and those of its national assembly meeting.

ARTICLE 30

1. The General Council of the Institute, when aware of the organization's petition which seeks to register as a national political party, shall form a commission to examine the documents, referred to in the previous article, in order to verify the fulfillment of the requirements and procedures of the Constitution mentioned in this Code. The commission shall formulate the draft opinion about the register.

ARTICLE 31

1. The Council, based on the commission's opinion, and within a period of 120 days from the definite register's presentation, shall make a decision regarding the register.

2. When the register is approved, the Council shall issue the corresponding certificate giving the definite register effect. In case of a negative decision, it shall establish the reasons and communicate them to the interested parties. The resolution must be published in the Official Journal

of the Federation, and may be appealed before the Federal Electoral Tribunal.

ARTICLE 32

1. To be able to participate in the elections, the national political party must obtain its register, at least, one year before the day of the election.

CHAPTER SECOND

The procedure for the conditional register

ARTICLE 33

1. The Federal Electoral Institute shall convoke, during the first trimester of the year previous to the ordinary federal elections, the organizations and political groups which seek to participate in the electoral process, in order that they may obtain the conditional register as a political party.

2. For the notice, the General Council shall take into account the specific functions of the political party system, as well as its composition and socio-political representation.

3. The notice shall indicate the period for the interested organizations to present the corresponding petition, and the requirements that they must certify, which under no circumstance, may be less than the following:

a) To have a declaration of principles, action program, and statutes as stated in articles 25, 26, and 27 of this Code;

b) To represent an ideology with social basis;

c) To have permanently done political activities in a proper and way independent from any other organization or political party, at least during the two previous years to the petition of register.

4. The organization or interested group shall present, along with its petition of register, the documentation which certifies the previous requirements, and if it is the case, the requirements established in the notice.

5. The General Council, within a maximum term of 45 days from the date of the presentation of the petitions of register, shall make a decision.

6. When the register is approved, the Council shall issue the respective certificate. In case of a negative decision, it shall establish the reasons and communicate them to the interested organization or group. The corresponding resolution must be published in the Official Journal of the Federation.

ARTICLE 34

1. The political parties with conditional register shall have possession of rights and prerogatives in the following terms:

a) Shall have a representative with authority to speak in Councils and Commissions of Vigilance of the Federal Electoral Institute;

b) Shall have tax exempt status under the taxation and fee system⁸, and they shall be granted the postal and telegraphic privileges, as is stated in articles 50 through 55 of this Code;

c) Shall have access to radio and television, as is stated in articles 42 through 45 and 48 of this Code, with the exception of the time to which paragraph 2, article 44 and clause c), paragraph 5, article 48 is established.

d) Shall receive the established 50% of public financial support for each national political party with a definite register for its general activities, as specified in clause b), paragraph 7, article 49 of this Code, besides the financial support for the development of political parties established in the clause e), paragraph 7 of the same article 49;

e) To nominate and register candidates in the federal elections;

f) To designate representatives and general representatives before the board of directors of the polling booth;

g) In accordance with the aforementioned, the rights stated in the clauses a), b) h) and l of article 36 of this Code; and

h) Others conferred expressly in this Code.

2. The political parties with conditional register may not form a coalition nor merge between selves or with a national political party.

3. The political parties with a conditional register must comply with the obligations referred to in article 38 and shall be subjected to what is stated in articles 39 and 40 of this Code.

ARTICLE 35

1. A party with conditional register shall obtain its definite register whenever it receives 1.5% of the total of the votes cast in any of the elections for federal representatives, senators or President of the Mexican United States in which it participates.

2. The political party which does not obtain the 1.5% of the votes in two consecutive federal and ordinary elec-

tions shall lose all the rights and prerogatives established in this Code.

3. The political party with a definite register that does not obtain 1.5% of the votes cast in any of the elections for federal representatives, senators or President of the Mexican United States and whose votes account for at least 1%, as long as the provision in the last paragraph does not apply, shall continue in its exercise of rights and prerogatives subject to its duties in the limits contained in this Code.

4. The fact that a political party does not obtain the 1.5% of the total votes cast in any of the elections for federal representatives, Senators or President of the Mexican United States does not have any affect in relation to the victories obtained by its candidates in the national elections elected by the principle of relative majority.

CHAPTER THIRD

The rights

ARTICLE 36

1. These are the rights of the national political party:

a) To participate, according to what is established in the Constitution and in this Code, in the preparation, development, and vigilance of the electoral process;

b) To possess the guarantees granted by this Code to freely fulfill its activities;

c) To make use of the prerogatives and receive public financial support, as it is stated in article 41 of the General Constitution of the Republic and in this Code, in order to guarantee the promotion of popular participation

by the political parties in the democratic life, to participate in the integration of Representation and to make feasible the access of the public power, on the basis of programs, principles and ideas fostered by the universal vote with its features of being free, secret and direct

d) To nominate candidates in the federal elections in the terms of this Code;

e) To form fronts and coalitions, as well as to merge in the terms of this Code;

f) To participate in the federal and municipal elections, according to what is stated in the sixth paragraph of article 41 of the Constitution;

g) To name representatives before the Federal Electoral Institute under the terms of the Constitution and this Code;

h) To be owner, possessor, or administrator of indispensable real estate only for the direct and immediate accomplishment of its goals;

i) To establish relations with foreign organizations or political parties, but maintaining, always, its economical, political, and absolute independence, as well as the absolute respect for the integrity and sovereignty of the Mexican nation and its governmental bodies; and

j) The rest granted to them by this Code.

ARTICLE 37

1. They may not act before the bodies of the Institute, as representatives of the national political parties, who is included in the following:

a) A judge, magistrate, or minister of the federal judicial branch;

- b)** A judge, magistrate, or minister of the judicial branch of the federal state;
- c)** A judge, magistrate, trial judge, or clerk of the Federal Electoral Tribunal;
- d)** An active service member of any armed or police force; and
- e)** A federal public or local ministerial agent.

CHAPTER FOURTH

The obligations

ARTICLE 38

- 1.** These are the obligations of the national political parties:
 - a)** To conduct its activities within the legal limits and adjust its conduct 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 not resort to violence or any other act which has as a purpose to disturb the public order, to disturb the possession of guarantees or to impede the regular operations of the governmental bodies;
 - c)** To maintain the minimum supporters in the federal states or electoral districts required for its constitution and its register;
 - d)** To display the denomination, emblem, and color or colors that it has registered;

e) To fulfill its rules of affiliation and to observe the procedures established by its statutes for the nomination of candidates;

f) To maintain its statutory bodies in effective operation;

g) To have a main office for its directive bodies;

h) To publish, at least, one monthly publication for dispersal and another trimester publication of its ideological character;

i) To sustain, at least, one political formation center;

j) To publish and disseminate information in the electoral demarcations in which it participates, as well as to broadcast, during official corresponding times on radio and television frequencies, the electoral platform which the party and its candidates will promote in the referred election. In this case, the time assigned for the platform may not be less than 50% than the total corresponding time;

k) Repealed.

l) To inform the Federal Electoral Institute about any modification to its declaration of principles, action program, or statutes, within ten days following the date when the party agrees to make the modifications. The modifications shall not have any effect, until the General Council of the Institute declares that they are constitutional and legal. The resolution must be done in a period not longer than 30 days from the corresponding presentation of the documentation of the modifications;

m) To timely inform the Institute about the relocation of its main office or the replacements of the members of its directive bodies;

n) To act and behave, without dependent or subordinate alliance, with foreign political parties, corporations, or individuals, or international bodies or states, or ministers of any religion or sect;

o) To abstain from any expression which insults the citizens, the public institutions, or any other political parties and its candidates; and

p) Abstain from making use of religious symbols and expressions, references or argumentation of a religious nature in their propaganda; and

q) The others established in this Code.

2. The modifications referred to in clause l) of the previous paragraph, in any case, may be done once the electoral process has begun.

ARTICLE 39

1. The non-fulfillment of the duties, referred to in this Code, shall be sanctioned under the terms of articles 342 and 343 of this legislation.

2. The administrative sanctions shall be applied by the Federal Electoral Tribunal, independently, of the civil or penal responsibility that, if so, may be required of the political parties, leaders, and candidates, under the terms of the law.

ARTICLE 40

1. A political party, bringing samples of evidence, may ask the General Council of the Institute to investigate the other political parties' activities when they do not fulfill their obligations in a serious and systematic manner.

THIRD TITLE

Prerogatives Radio and Television access and finance for the national political party

ARTICLE 41

1. These are prerogatives of the national political party:
 - a) To have a permanent access to radio and television under the terms of article 44 of this Code;
 - b) To fully enjoy the benefits of the taxation and fee system established in this Code and its related laws;
 - c) To have a right to the postal and telegraphic privileges necessary for the fulfillment of its functions; and
 - d) To participate, under the terms of the Second Chapter of this Title, with the corresponding public financial support for its activities.

CHAPTER FIRST

Prerogatives in manner of television and radio

ARTICLE 42

1. The political party, in practicing its prerogatives on television and radio, must broadcast its ideological principles, action programs, and electoral platform.

ARTICLE 43

1. The Executive Direction of Prerogatives and Political Parties of the Federal Electoral Institute the Commission

of Radio-Broadcast of the shall have, under their responsibility, the production and broadcast of the radio and television programs of the political parties, as well as the formalities to be fulfilled for having the program transmitted in accordance to article 44 through 46 of this Code.

2. The Commission of Radio-Broadcast shall be presided over by the Executive Director of Prerogatives and Political Parties. Each political party shall have the right to appoint a representative before the Commission with powers of decision over the production of the radio program of his party.

ARTICLE 44

1. Of the total time belonging to the State in the radio frequencies and television channels, each political party shall have 15 minutes, monthly, in each communication medium.

2. The duration of the transmissions shall be increased in electoral periods for each political party in proportion to its electoral strength.

3. The political party shall use, at least, half of its corresponding time during the electoral process to broadcast the contents of its electoral platform.

4. Without negatively effecting the previous parts, the political party may, by petition, transmit programs of regional coverage. These programs shall not exceed half the time assigned to each party for its national coverage programs and shall be transmitted separately.

5. The political party shall have the right, besides the regular monthly time referred to in paragraph 1 of this article, to participate, as a whole, in a special program established and coordinated by the Executive Director of

Prerogatives and Political Parties, to be transmitted twice a month on radio and television.

ARTICLE 45

- 1.** The political party shall make use of its monthly time in two weekly programs. The order of presentation of the programs shall be done through semester drawings.
- 2.** The political party must timely present, to the Commission of Radio-Broadcast, the technical text for the production of its programs, which shall be carried out in the places established by this Commission.
- 3.** The Commission of Radio-Broadcast shall rely on enough human and technical elements to guarantee the quality of production as well as the proper broadcast of the ideas of the political parties.

ARTICLE 46

- 1.** The Executive Director of Prerogatives and Political Parties shall determine the dates, channels, stations and schedule of the transmissions. Also, he shall take the necessary precautions for the programming corresponding to the political parties, so that it has appropriate broadcast through the national press.
- 2.** The assigned times for the transmissions of the programs of the political party and the Federal Electoral Institute shall be preferred over the general programming of the State's time on radio and television. The Executive Directive Board shall make sure that the programs are transmitted nationally.
- 3.** The Executive Directive Board shall take steps for the necessary time in radio and television for the broadcast of the activities of the Institute, as well as the activities of the political parties.

ARTICLE 47

1. The General Directive Board of the Federal Electoral Institute shall make the appropriate resolutions, so that the exercise of the prerogatives, in the extraordinary electoral process, is done under the formalities of time, coverage, radio frequencies, and television channels for the programs of the political parties with regional or local content. This time of transmission of the political parties shall not be counted with the time used in national broadcast coverage.

ARTICLE 48

1. It is an exclusive right of the political parties to secure airtime on radio and television to solicit votes during the electoral campaigns according to the rules and procedures stated in this article. The candidates may only use the airtime assigned to their political party, or coalition if it is the case, based on the provision established in article 59, paragraph 1, clause c).

2. The General Direction of the Federal Electoral Institute shall conveniently request that the Secretary of Communications and Transportations to request that the radio and television concessionaires and licensees with national and state operations provide them with a list of the available timetables and tariffs for sale to the political parties at two time periods, the first from January 15th to April 15th of the election year (**March 15th to June 15, 1994, pursuant to the first paragraph of the eighth transitory article: D.O. 24-IX-93**); and the second, from April 16th (**June 16, 1994, in accordance to the first paragraph eighth transitory article: D.O. 24-IX-93**) until three days before deadline mentioned in this Code for the election period. Such tariffs cannot be higher than those for the commercial advertising.

3. The General direction of the Institute through the Executive Direction of Prerogatives and Political Parties shall make available to the political parties during the first session held by the General Council in the first week of November of the previous year to the election (**first week of January 1994 according to the first paragraph of eighth transitory article: D.O. 24-IX-93**), the first listing of the available time schedule, channels and radio stations. The second listing shall be given during the session held by the General Council in the month of January (**March 1994 in accordance to the first paragraph of eighth transitory article: D.O. 24-IX-93**).

4. The political parties shall notify in writing the Executive Direction of Prerogatives and political parties about the radio stations, channels and timetable of their interested in buying time in the first given catalog, no later than December 15th of the year before the election (**February 15, 1994, in accordance to the first paragraph of the eighth transitory article: D.O. 24-IX-93**), in respect to the campaign for the Presidency of the United Mexican States and no later than January 31st of the election year (**March 31, 1994, in accordance to the first paragraph, eighth transitory article: D.O. 24-IX-93**). Regarding the campaigns for senators and federal representatives. The political parties shall notify in writing the Executive Director of the radio stations, television stations and time schedules for which they may wish to buy airtime, out of the second catalog given to them, no later than February 28th of the election year (**April 30, 1994, pursuant to the first paragraph of the eighth transitory article: D.O. 24-IX-93**) as far as the campaign for President of the United Mexican States is concerned, but no later than March 15 of that same year (**May 15th, 1994 in accordance with the first paragraph, eighth transitory article: D.O. 24-IX-93**) for the campaigns of senators and federal representatives.

5. In the event that two or more political parties are interested in buying airtime on the same television chan-

nel or radio station, for the same time slot, the Executive Director of Prerogatives and Political Parties shall follow the following procedure:

a) The total available time for sale on the radio or television station shall be divided in one-half;

b) The first half of the available time for sale shall be allotted in equal parts among the number of contending political parties interested in buying time: the remaining time shall be made available for sale to each political party. If there would be no sale, then the not taken time shall be saved for the second half;

c) The second half of the time shall be made available for sale to the interested parties' disposition, it shall be sold to them in amounts in proportion to their electoral force and to the percentage of votes obtained in the last election of federal representatives by relative majority. If there was some time remaining it, shall be returned to the concessionaires and licensees not being sold to the political parties or the candidates; and

d) In the allotment of the time mentioned in the previous clauses, equality in schedules, television channels and radio stations shall be fostered.

6. Where only one political party shows interest in buying the time in one television channel or radio station, it may do so until the deadline publicized by the concessionaires or licensees as the available time for the purpose of this provision.

7. Allotment and assignment of the channels, radio stations and times for hire by every political party, from the first catalog, shall expire no later than January 15th of the election year **(March 15, 1994, in accordance to the first paragraph of the eighth transitory article: D.O. 24-IX-93)** for the campaign of the President of the United

Mexican States and no later than February 28th of that same year (**April 30, 1994, in accordance to the first paragraph of the eighth transitory article: D.O. 24-IX-93**) for the campaigns of senators and federal representatives. Regarding the second catalog, the allotment and assignment of channels, radio stations and selling time to every political party, for the elections for President of the United Mexican States, senators, and federal representatives shall conclude on April 15th of the same year (**June 15, 1994, in accordance to the first paragraph of the eighth transitory article: D.O. 24-IX-93**).

8. Once the procedure of allotment and assignment mentioned of the aforementioned paragraph, is concluded The Institute, through the Executive Direction of Prerogatives and Political Parties, shall inform each of the political parties about the available times of the times, channels and radio stations so they may proceed directly to contract for same. Likewise, the same Executive Direction shall inform each of the concessionaires or licensees of the times and schedules that every one of the political parties are authorized to buy.

9. While using the times slots purchased by the political parties through local media average pursuant to this Code, the messages concerning their candidates as federal representatives and senators may only be broadcaster during the registered hours.

10. The Executive Director of Prerogatives and Political Parties shall meet with the Commission of Radio and the National Chamber of the Radio and Television Industry no later than December 15th of the year before the election (**February 15, 1994, in accordance with the first paragraph of the eighth transitory article: D.O. 24-IX-93**), to suggest the general guidelines to manage their news networks regarding the information or divulgence of the political parties campaign activities.

CHAPTER SECOND

The political parties financing

ARTICLE 49

1. The Financing regulations of the political parties shall have the following features:

- a)** Public financing;
- b)** Partisan financing;
- c)** Sympathetic financing;
- d)** Self-financing; and
- e)** Assets, funds and trusts financing.

2. No grants or donations either personally or by proxy to political parties, in money or substance, shall be allowed under any circumstances, to:

- a)** The Executive, Legislative and Judicial Branches of the Federal and States Governments and the Municipalities, except those cases authorized by law;
- b)** The Central or regulatory agencies, entities and bodies of the federal, state or municipal public administration as well as any bodies of government of the federal district;
- c)** The Foreign political parties, persons or corporations;
- d)** International organizations of any kind;
- e)** Priests, religious associations, churches or groups of any kind;

f) People that live or work abroad; and

g) Mexican business corporations.

3. Political parties may not solicit credits from the development banking system to finance their activities.

4. Donations given to the political parties are not tax deductible.

5. Political parties shall have an in house group in charge of the acquisition and administration of their general and campaign resources and of the submission of the reports established on article 49-A of this Code, based on the Section IV, clause c), paragraph 1, article 27 of this same Code. Such group shall be structured by each party without interference.

6. To review the reports of the political parties submitted in regard to the origin and spending of their annual resources and campaign resources, a commission of counselors shall be appointed by the General Council of the Federal Electoral Institute in pursuant to article 49-B of this Code.

7. Political parties shall have the right to public financing for their activities, besides other prerogatives granted in this Code, pursuant the to following provisions:

a) For electoral activity:

I. The General Council of the Federal Electoral Institute shall set the minimum, for the allowable campaigns expenditures for federal representative and senator on basis of studies by the General Director of the Institute. Each of these amounts shall be multiplied, respectively, by the number of propertied candidates for federal representatives using the principle of relative majority, and by the (propietarios) candidates for senators registered in the manner prescribed by this Code for every election. For

this calculation, only those candidates for the political parties who saved their register shall be taken into consideration;

II. The entire amount obtained by federal representatives based on the aforementioned section, shall be divided by the *votacion nacional emitida* for their own election, thus resulting is the unit value per vote;

III. The result of multiplying the unit value obtained in accordance to the last section, by the number of valid votes cast for the election of federal representatives for relative majority, shall be assigned to each party;

IV. The entire amount obtained for senators shall be divided by the *votacion nacional emitida* for that election, resulting in a unit value per vote, as stated in the Section I above;

V. The result of multiplying the unit value, derived in preceding section, by the number of valid votes that the political party should have obtained in the election for senators shall be assigned to each party;

VI. Financing previously mentioned shall be determined once the electoral process has been concluded;

VII. Political parties shall receive their financing three years after the election: in the first year, 20% of the total; in the second 30%, and in the final year the remaining 50%. Each amount shall be delivered according to the annually approved budgetary calendar; and

VIII. Amounts corresponding to the second and third annual payments mentioned above, may be increased by resolution of the General Council as it deems appropriate taking into consideration the inflation rates set by the competent authority.

b) For general activities as public interest entities:

I. An additional amount, equivalent to the 10% of the entire amount resulting from the formula stated in the Section I of the previous title, shall be equally allotted annually to each political party to support its general activities; and

II. The apportioned amount, according to the aforementioned section, shall be delivered in allotments that must follow the budgetary calendar approved annually.

c) By subrogation of the State to the contributions that the lawmakers are required to advance for the financial support of their parties:

I. An amount equivalent to 50% of the net income of Congressional salaries for federal representatives and senators received in the previous year, shall be granted annually to each political party; and

II. The Amounts shall be delivered to each political party in allotments in accordance with the annually approved, budgetary calendar.

d) For specific activities as public interest entities:

I. Education and political capacitation, socioeconomic and political research, as well as the editorial tasks of the national political parties, may be supported through public financing pursuant to the rules as may be issued by the General Council of the Institute;

II. The General Council may not approve financial supports higher than 50% of the annual verified expenses for the activities mentioned in this section and organized by the political parties in the preceding year; and

III. Amounts apportioned to every party shall be delivered in allotments that as mandated by the annually approved calendar.

e) For the development of the political parties:

I. An additional amount equal to 5% of the entire amount resulting from the formula stated in Section I of clause a) of this paragraph shall be granted. If the political party has a right to this financing because of the number of votes it obtained, the amount shall be increased in the same percentage. No party may receive more than the one-fifth part of the aforementioned percentage for more than three years. The additional amount shall be allotted among the political parties with a valid register and whose votes received in the past election for federal representatives of relative majority were between 1% and 5%, inclusive, from the total votes cast in that election and for those parties which had obtained their definite or conditioned register with a later date after the last election; and

II. The amount to allot in accordance with the previous section shall be delivered in allotments that must follow the annually approved budgetary calendar.

8. The political parties that have no register shall have no right to public financing. The political party that did not obtain the 1.5% of the votes cast in any of the federal elections, but that is within the provision stated in the paragraph 3, article 35 of this Code, and thus that has a standing register, shall have the right to that public financing following the next rules:

a) It shall be granted in accordance to the clause a), paragraph 9 of this article; and

b) If the party won any victory in the election for federal representatives of relative majority or senators, public financing shall be granted pursuant to the aforementioned as stated in the clause c), paragraph 7 of this article.

9. Political parties that had obtained their register after the last election, shall be granted public financing pursuant to the following rules:

a) Those with a definite register, public financing shall be granted to the political party, pursuant to the rules for general activities, for specific public interest entities and for the development of the political parties; and

b) To those parties which had obtained a conditioned a register, public financing shall be granted for their general activities and for the development of the political parties pursuant to the aforementioned clause d) of the paragraph 1, article 34 of this Code.

10. Amounts referred to in clauses a) and b) of the preceding paragraph shall be delivered in a proportional part of the annual payment that corresponds to the date in which the register takes full effects and taking into consideration the budgetary calendar approved for that year.

11. Financing that does not come from the public treasury shall be subject to the following conditions:

a) General financing of political parties whose campaigns are based upon partisanship shall be created by the mandatory fees, ordinary and extraordinary, paid by their affiliated members, the dispensations of their social organizations and the voluntary and personal fees that the candidates give exclusively for their campaigns, in accordance with the following rules.

I. The group responsible for the financing of each party shall issue a receipt for the fees or dispensations received, from which it should keep a copy .

II. As it sees fit, every political party determine the minimum and maximum amounts and the payment terms of the ordinary and extraordinary fees to be paid by their affiliated members, as well as donations by their organizations.

III. The voluntary quota and personal that the candidate set exclusive for the campaign shall have the limited that

is set by the interior responsibly body for the finance manage of each party.

b) The financing of the sympathetic parties composed of the dispensations or donations, in money or substance, made to the political parties in a free and voluntary way by the persons and Mexican corporate nationals domiciled in the country, not encompassed within paragraph 2 of this article. The dispensations shall be subject to the following rules:

I. The Monetary dispensations shall be accompanied by numbered receipts, issued by the parties, in which the identification of the donor shall be stated, except public monetary collections organized in political rallies or in the streets, provided these collections do not imply the sale of goods or promotional merchandise. In the case of public collections, only the full amount collected shall be registered in the reports. However political parties may receive dispensations from non-identified persons whose full amount of the donation does not exceed a quantity equivalent to 10% of the total public financing granted to all the parties;

II. Dispensations in substance must be stated in an contractual agreement according to the applicable laws;

III. Dispensations in money made by every person or corporation, who is empowered to make them, shall have an annual limit for the first dispensation of up to 1% and for the second, to 5% of the total amount of the ordinary public financing of the political parties during the corresponding year;

IV. Dispensations in money may be granted in allotments at any time, but the total annual amount granted by a person or corporation may not exceed the corresponding limits stated in the previous section; and

V. Dispensations made of real or personal property shall be devoted exclusively for the achievement of the benefited political party's goals.

c) Self-financing shall include the income obtained by the parties during their promotional activities, such as lectures, shows, games and lotteries, cultural events, publishing sales, sale of goods and profitable advertising as well as any other similar activity done for profit, all of which shall be subject to the appropriate laws. As far as this Code is concerned, the responsible group of each political party's financing arm shall report the income received for these activities in writing in the respective reports; and

d) To obtain financing through financial lending institutions the political parties create financial trusts with their assets or with the dispensations received, in addition to the resources coming from the financing mentioned in this article. Financing through financial lending institutions shall be subject to the following rules:

I. Regarding dispensations made through this means, the provisions stated in paragraphs 2 and 3 as well as Section III, clause b) of this paragraph shall apply, and all the applicable provisions of this Code and the corresponding laws in accordance to the type of transaction agreed;

II. The funds and trusts installed shall be administered through banking and financial operations as the responsible body of each political party deems proper, with the exception of the acquisition of stock market shares; and

III. Financial benefits obtained by these means shall be devoted to the achievement of the political party's goals.

ARTICLE 49-A

1. Political parties shall submit, before the commission mentioned in paragraph 6 of the previous article at the

Federal Electoral Institute, the reports of the source and amount of the money received under any financing model as how it is used and spent, in conformity with the following rules:

a) Annual reports

I. They shall be submitted no later than ninety days following December 31st of the year reported; and

II. In the annual report, all the total incomes and ordinary expenses incurred and received by the parties during the year shall be registered.

b) Campaign reports

I. They shall be submitted by the political parties for every campaign in the respective elections, stating the expenses incurred by the political party and candidate in the corresponding electoral district or territory;

II. They shall be submitted within ninety days of the election; and

III. Each report shall list the source of the resources used for financing the expenses established in article 182-A of this Code, and the amount and purpose of such expenditures.

2. The procedure for submitting and reviewing the reports made by the political parties shall be subject to the following rules:

a) The General Council of the Federal Electoral Institute shall, call the commission referred to in paragraph 6, article 49 of this Code, within the fifteen days to preside over the submission of reports. At the beginning of the sessions, the commission shall receive, review and resolve these reports.

b) The commission shall have sixty days to review the annual reports and a hundred and twenty days to review the campaign reports submitted by the political parties. At any time it shall have the authority to request from the responsible financial groups of each political party the required documentation to prove the certainty of listed facts in the reports;

c) If during the review, the commission becomes of mistakes or technical omissions in the reports, it shall notify the relevant political party, and obtain the proper explanations or rectifications within ten days from the date of notice;

d) At the end of the term stated in clause b) of this paragraph, that is, the correction of mistakes and omissions, the commission shall have twenty days to prepare a consolidated resolution before the General Council and three days thereafter to submit it:

e) The report shall contain at least:

I. Findings and concluding remarks regarding the reports submitted by the political parties;

II. Discussion of the mistakes or irregularities found, if any; and

III. Statement of explanations or correction made by the political parties after having been notified of such mistakes or irregularities.

f) The findings of the commission shall be presented to the General Council which in turn shall notify the Central Chamber of the Federal Electoral Tribunal, if appropriate, for the determination of applicable sanctions;

g) Three days after the commission adjourns the respective session, the political parties may dispute the findings

referred to in paragraph d) before the Central Chamber of the Federal Electoral Tribunal; and

h) The general Council of the Institute shall:

I. Whenever an appeal is filed, forward the commission's findings and written report from the same body to the Central Chamber of the Tribunal;

II. Send the commission's findings, once the term for filing appeals has ended, or in this case the Federal Electoral Tribunal's findings, to the Official Journal of the Mexican Federation for their publication; and

III. To decide the mechanisms deemed proper for the publication of the findings. The annual reports of the parties shall be published in the Federal Electoral Institute's gazette.

ARTICLE 49-B

1. For the receipt, review and resolution of the reports referred to in the clauses a) and b) of paragraph 1 of the previous article, the commission established in paragraph 6, article 49, of this Code, shall have the administrative help and support of the Executive Director of Prerogatives and Political Parties of the Federal Electoral Institute, whose executive shall serve as the technical clerk of the commission. Likewise the commission may rely upon experts authorized by the General Council for the effective and impartial development of its duties.

ARTICLE 49-C

1. The commission referred to in paragraph 6, article 49 of this Code, may propose to the General Council the adoption of guidelines or formats to be used in the reports required of the parties.

2. Complaints received by any Institute's office about the origin and spending of the monies from the financing of the political parties, shall be filed with the commission for examination before a resolution is reached.

CHAPTER THIRD

The taxation and fee system

ARTICLE 50

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

a) Those related with the raffles and drawings that are held before legal authorization, and with the fairs, festivals and other events which are held for the purpose to obtain revenue for the fulfillment of its goals;

b) Relating to rent, in regards to their taxable profit originating from the sales of real estate that has been acquired for the exercise of their specific functions, as well as the revenue originating from monetary donations or in kind;

c) Those related to the sale of printed material that is published for the diffusion of their principles, programs, statutes, and for their propaganda in general, as well as for the use of equipment and audiovisual means for propaganda; and

d) In respect to the rest which the applicable legal provisions establish.

ARTICLE 51

1. What is stated in the previous article is not to be applied in the following cases:

a) For the fees, including the additional rates that the States establish on the real estate property, and on its subdivision, and additional rates that are established by the states on the property, for its division, consolidation, transfer and improvement, as well as those which have as their base the change of value of the real estate; and

b) The taxes and fees that the States or municipalities establish for the loan of public services.

ARTICLE 52

1. The tax exempt status under the taxation and fee system, that is referred to in article 50 of this Code, does not relieve the political parties of the fulfillment of other fiscal obligations.

CHAPTER FOURTH

The postal and telegraph privileges

ARTICLE 53

1. The political parties shall have the benefit of postal and telegraph privileges, inside the national territory, which are necessary for the development of their activities.

ARTICLE 54

1. The postal privileges shall be subject to the following rules:

a) Only the national, regional, state, district and municipal committees of each political party may make use of the postal privileges;

b) The political parties shall certify, before the Executive Directive Board of Prerogatives and Political Parties and

before the Executive Local and District Boards, two authorized representatives for each one of their committees, in order to register the shipment of its ordinary correspondence, its propaganda, and its periodical publications. The Executive Directive Board shall inform the appropriate authority of the names of the authorized representatives and shall take the necessary actions so that they will be certified;

c) Moreover, the national committees may send to all of the Republic its correspondence, propaganda, and its periodical publications; the regional, state, and district committees may send the aforementioned to their national committee and to the affiliate committees of their respective territorial demarcations;

d) The Executive Directive Board of Prerogatives and Political Parties, listening to the political parties, shall negotiate, before the appropriate authority, the assignment of the office or offices for which the correspondence of the political parties will be delivered, so that they will be provided with the necessary elements for their management. The authorized and registered representatives for each committee before the Executive Directive Board or its delegations must register the deliveries and sign the respective documentation; and

e) On the correspondence of each political party, its sender shall be mentioned, in a visible manner.

ARTICLE 55

1. The telegraph privileges shall be granted, exclusively, for the utilization within the national territory and shall be subject to the following rules:

a) The telegraph privileges may only be made use of by the national, regional, state, and district committees;

b) The national committees may use the privileges for its communications to all of the Republic, and the regional, state, and district committees are to communicate with their national committee, as well as with the affiliate committees of their respective demarcations;

c) The privileges shall be used in their respective demarcations by two representatives authorized for each one of the committees. The names and signatures of the authorized representatives shall be registered before the Executive Directive Board of Prerogatives and Political Parties or the Executive Local and District Boards, so that they will inform about the registered names and signatures to the appropriate authority;

d) The telegraphic form shall only be used with constraint, and the texts of telegrams shall be regulated to the provisions of the subject matter; and

e) The telegraph privilege shall not be given for purposes of propaganda, matters of personal interest, nor for messages whose destinations are situated in the same city or urban zone.

FOURTH TITLE

The fronts, coalitions, and mergers

ARTICLE 56

1. The national political parties may establish fronts, in order to reach shared political and social objectives, not electoral, by means of specific and common strategies and actions.

2. The political parties, for electoral purposes, may form coalitions in order to nominate candidates for the federal

elections, but only if they fulfill the requirements established in this Code.

3. Two or more political parties may merge in order to establish a new political party or in order to incorporate into one of them.

CHAPTER FIRST

The fronts

ARTICLE 57

1. To create a front a pact must be made that will indicate:

- a)** Its duration;
- b)** The reasons which motivate its creation;
- c)** The aims that it will pursue; and
- d)** The way in which the political parties agree to exercise, in common, their prerogatives, within what is stated in this Code.

2. In order to make up a front, the pact that is made must be presented to the Federal Electoral Institute, which, within a period of ten days, must decide if it complies with the legal requirements and, if so, shall arrange for its publication in the Official Journal of the Federation in order to produce the desired effects.

3. The national political parties, which form a front, shall preserve their legal status, their register, and their identity.

CHAPTER SECOND

The coalitions

ARTICLE 58

1. The national political parties may form coalitions for elections of President of the United Mexican States and for deputies by the principle of proportional representation, as well as for senators and for deputies by the principle of relative majority.

2. The political parties may not nominate their own candidates where there are already candidates of the coalition of which they form part.

3. No political party may register, as its own candidate, whoever has already been registered as a candidate for any coalition.

4. No coalition may nominate, as a candidate of the coalition, whoever has already been registered as a candidate for any political party.

5. No political party may register a candidate of another political party. This prohibition shall not apply in the cases where a coalition exists in the terms of the present Chapter.

6. The political parties which form coalitions, in order to participate in the elections, must make and register the corresponding pact in the terms of the present Chapter.

7. The coalition pact may be made for two or more political parties.

8. Once the stage of final results and declarations of validity of the representatives and senators elections is finished, the coalition shall automatically disband in the

per articles 61, paragraph 1, clause a) and 62, paragraph 1, clause e) respectively; in this case, the senators and representatives declared elected from the coalitions shall be assigned to the political party or parliamentary group identified in the coalition agreement.

9. The political parties which have formed coalitions may preserve their register as a coalition at the end of the election, if the votes for the coalitions are equivalent to the sum of the percentages of the 1.5% of the votes cast, which is required from each of the political parties in the coalitions.

ARTICLE 59

1. The coalition, which nominates a candidate to become President of the United Mexican States, shall be recognized in the five plurinominal circumscriptions, the 32 states, territories and 300 electoral districts in which the national territory is divided, and shall nominate and register the respective formulas, subject to the following rules:

a) It shall register before all the councils of the Institute as many delegates as corresponds to the coalied political party, for its electoral showing in the last federal election pursuant to this Code. The coalition acts as a party and therefore its is therefore subsumed in every way, into the coalied political parties;

b) It shall register before the directive boards of the polling places and before the general boards in the district as many delegates as may correspond to one single political party;

c) It shall be entitled to privileges of the airtime in radio and television and it may buy airtime as single party may in the cases in which the electoral strength is considered under this code, it shall be taken into account for the

coalition party which received most of the votes in the last federal election; and

d) It shall participate in the electoral process with the emblem and color(s) of the coalied, whose statement of purpose agenda by laws have been approved by the coalition; or with the emblem formed by the coalition's political parties members under their declaration of principles, actions program and by laws for any of the coalition.

2. To register the coalition, the coalied political party applicants shall:

a) Certify that the coalition or equivalent organization for each political party which forms the coalition was approved by the National Assembly and was expressly authorized to compete under the declarations of principles, actions program and by laws of the coalied political party or under the declaration of principles, actions program and by laws exclusive of the coalition;

b) Prove that the respective groups within each coalied political party approved its electoral platform coalition, pursuant to the declaration of principles, actions program and by those laws of the coalition;

c) Prove that the respective groups of each coalied political party approved and nomination the registration of specific candidate for the presidential election;

d) Prove that the respective party groups approved the governmental program which the coalition candidate will follow if he or she wins, according to their declaration of principles, actions program, by laws and electoral platform; and

e) Show that the respective groups of each of the coalied political parties approved the nomination and registration, as a coalition, of all the candidates to the offices of

federal representatives in their dual capacity and of senators.

3. Registering the coalition for the election is insufficient to register its candidates for the offices of President, senators and federal representatives pursuant to the clauses c) and e), previous paragraph 2, and within the terms established for that purpose in this Code; if the coalition fails to register the candidates the coalition and the register of the candidate for election of the President of the United Mexican States shall be automatically voided.

4. The coalition shall be assigned the number of proportional representatives as if it were one single political party.

ARTICLE 60

1. The coalition in which the candidates are nominated for deputy by the principle of proportional representation shall have effect in the 300 electoral districts, in which the national territory is divided, and is subject to what is stated in clauses a) through d) of paragraph 1 of the previous article.

2. For the register of the coalition, the political parties forming coalitions shall comply with clauses a) to e), paragraph 2 of the previous article, excepting reference to the nomination and approval of the candidate for the presidential election, registration of the candidacies of relative majority representatives in the 300 uninominal electoral districts, and the 32 lists of formulas for senatorial candidates for each State or territory.

3. If the coalition fails to register the formulas of candidates within the terms established under this Code and referred to in the aforementioned paragraph 2, the coalition and register of candidates shall be automatically voided.

4. The coalition shall be assigned the number of proportional representatives that corresponds to a single political party and shall be counted as the political party or parliamentary group established in the coalition agreement.

ARTICLE 61

1. The coalition which nominates the candidacies for senators shall be subject to the following:

a) If it nominates lists of formulas for candidacies of senators in less than 10 states or territories, it shall participate in the campaigns of the corresponding states or territories, with the emblem, color(s) of the political party whose declaration of principles, actions program and by laws had been adopted by the coalition; or with the formation of all those features from the coalied political parties and under the exclusive declaration of principles, actions program and by laws of the coalition;

b) In the aforementioned case, the coalition shall certify, per the rules established in this Code, before the electoral bodies of the Federal Electoral Institute in the competent State or States, as many representatives as corresponds to the coalied political party with the strongest electoral force. The coalition acts as a single party and therefore its representation shall constitute the coalied political parties representation standing before all the electoral bodies of the competent state or states. Likewise they shall certify as many delegates as corresponds to one single political party standing before the directive boards of the polling place in the corresponding state or states and also the general bodies of the corresponding electoral districts. This clause, and its consequences, shall apply in the competent state or states, even when the political parties had not been coalied for other elections in the same electoral process;

c) If the coalition nominates lists of formulas of candidates for senators in 10 or more States, it shall be subject to the provisions established in the clauses a) to d), paragraph 1, article 59 of this Code; and

d) The coalition shall always present primary and alternative plans.

2. To register the coalition the political parties forming a coalition shall:

a) If the coalition intends to nominate formula lists candidates for senators in 10 or more States, then certify that the coalition and the formulas of candidates were approved by the National Assembly or equivalent organization, and also by the corresponding State Assemblies for each coalied political parties.

b) If the coalition intends to nominate lists of formulas of candidates for senators in less than 10 States, then certify that the coalition and the formulas of candidates were approved by the corresponding State Assemblies or their equivalent organizations.

c) Establish in all the cases, that the corresponding party groups were approved to compete under the adopted declaration of principles, actions program and by laws and per this provision;

d) Establish, in all cases, that the corresponding party groups approved the electoral platform of the coalition, pursuant to the declaration of principles and statutes adopted by itself;

e) If the coalition pretends nominate lists of formulas of candidates for senators in 10 or more States; and establish that the corresponding national and state organizations of each political party approved the legislative program to which their prevailing candidates will subscribe.

f) If the coalition intends to nominate formulas lists of candidates for senators in 10 or more States, establish that the national and district organizations of every coalied political were authorized to nominate and register for the same coalition the 300 formulas of candidates to become majority representatives and 200 formulas of candidates to become proportional representatives under this Code.

3. If the coalition, once registered, does not comply with the registration of candidates for federal representatives in both forms, within the terms established for that purpose in this Code, the coalition and the register of formulas of candidates shall be automatically voided, in accordance to the stated in clause f), previous paragraph 2.

4. Pursuant to the coalition agreement, and when less than 10 lists of formulas of senatorial candidates are proposed, in the event one or more are elected, the candidates must be notified of which party they will represent in the chamber.

5. The coalition that nominates 10 or more lists of formulas of candidates for senators is a single party, relative to the assignment of proportional representatives.

ARTICLE 62

1. The coalition, in which candidature of deputy is nominated for the principle of relative majority, shall be subject to the following:

a) Must certify, before the Council of the Federal Electoral Institute in the district in which the coalition has nominated candidates, as many delegates as would correspond to the coalied political party with major electoral force regarding the last federal election. The coalition shall act as one single party, and therefore, its representation shall be substituted for all the possible consequences of the coalied political parties in the corresponding district.

b) Must certify as many representatives for the poll boards and the general representatives in the electoral district as corresponds to only one political party;

c) The candidatures of coalition must be distributed in districts which are comprised in different *plurinominal* circumscriptions according to the following rules:

I. More than 30% of the candidatures may not be registered in districts of only one *plurinominal* circumscription; and

II. Of the number of nominated candidatures for only one circumscription, more than half may not be registered in districts of a same federal state.

d) If by the principle of relative majority a hundred or more candidates are nominated, besides complying with the aforementioned clause c), it shall be subject to what is stated in clauses a) to d), paragraph 1, article 59 of this Code;

e) If the coalition shall nominate candidates in less than 100 uninominal electoral districts, it shall participate in the campaigns at the corresponding districts with the emblem, color(s) of the political party whose declaration of principles, actions program and by laws had been adopted by the coalition, or with the emblem formed with all coalied political parties or under the exclusive declaration of principles, actions program and by laws for the coalition; and

f) The coalition shall always comprise *fórmulas* of primary and alternate candidates.

2. To register the coalition, the political parties shall:

a) Certify that the coalition as well as the list of candidates were approved by the National Assembly and the corresponding district assemblies, or their equivalent or-

ganizations, in each of the coallied political parties, if the coalition intends to nominate and register candidacies for the federal representatives in 100 or more uninominal electoral districts;

b) Certify that the coalition and the list of candidates were approved by the corresponding district assemblies or their equivalent organizations in each of the coallied political parties, if the coalition intends to nominate candidates in less than 100 uninominal electoral districts;

c) In all the cases, it shall be documented that the corresponding party bodies are approved to compete under the declaration of principles, actions program and by laws adopted by the coalition as established in this article;

d) Also in all cases, it shall be documented that the corresponding party bodies have approved the electoral platform of the coalition, under the declaration of principles, actions program and by laws that were adopted at its formation;

e) In the case that the coalition intends to nominate and register lists of candidates in 100 or more uninominal electoral districts; it must establish that the respective national organizations of each political party approved, based upon the declaration of principles, actions program, by laws and the electoral platform of the coalition, the legislative program to which the candidates shall be subject.

f) If the coalition intends to nominate and register formulas of candidates in 100 or more uninominal electoral districts it must establish that the national and state organizations of each coallied political party approved to nominate and register for the same coalition the 32 lists of candidates for senator and to the 200 formulas of candidates for proportional representatives, as established in this Code.

3. If the coalition, once registered, does not comply with the register of formulas of candidates to which the clause f) of the previous paragraph 2 refers to, within the terms stated in this Code, the coalition and the register of formulas of candidates shall automatically be voided.

4. Per the coalition agreement, when less than a hundred candidate formulas are nominated, and one or more are elected, they shall be notified as to which parliamentary group they belong. Likewise, the formula to distribute among the coalied parties must be specific about the votes for the purpose of the election by the proportional representation principle.

5. When the coalition nominates a hundred or more formulas of candidates, the number of proportional representatives shall be assigned to the coalition which corresponds to one single political party.

ARTICLE 63

1. The pact of coalition shall contain in all cases:

- a)** The national political parties which form the coalition;
- b)** The election which motivates the pact of coalition;
- c)** The father's last name, mother's last name, and full name, age, place of birth and domicile of the candidate or candidates;
- d)** The office for the nominated candidate or candidates;
- e)** The emblem and color(s), whichever applies, of the political party whose declaration of principles, actions program and by laws had been adopted for the coalition; one from an individual coalied party or a new one formed with all the coalied political parties. The exclusive declaration of principles, actions program and bylaws of the coalition shall be included, if the case arises, as well as

the documents in which the approval is contained by the competent party organizations;

f) Promise to follow the electoral platform of the declaration of principles, actions program and bylaws adopted by the coalition;

g) In the event that the coalition presents candidates for the election of the President of the United Mexican States, for proportional representatives or nominates more than ten lists of formulas of candidates for senators or a hundred or more formulas of candidates for relative majority representatives, depending of the case, the program of government to which the presidential candidate shall be subject if he or she wins, it shall be included and the documents in which approval is given by the competent party bodies;

h) The form and conditions for rating and buying airtime on radio and television, as well as the distribution form of public financing that corresponds to a coalition, if this is the case;

i) The order for keeping the registering of the political parties, in the case that the vote percentage obtained by the coalition does not reach the 1.5% for each one of the coalied political parties; and

j) The statement of the political party to which each one of the registration candidates of the coalition belongs, for every uninominal electoral district, and also the statement of the parliamentary group or political party in which they shall be part in the case of being elected.

2. In the coalition the manifestation shall state that the coalied political parties, regarding to the type of coalition formed, shall be subject to the expenses limits for the campaigns established in the different elections, as would pertain to one single party.

3. In the case of coalitions, the modification or presentation of the declaration of principles, actions program and by laws adopted, shall be included in the coalition to be approved based upon the clause l), paragraph 1, article 38 of this Code. In this case, paragraph 2 of the same article 38 is not applicable.

ARTICLE 64

1. The application to register the coalition for the election of the President of the United Mexican States shall be submitted to the Director General of the Federal Electoral Institute no later than ten days from to the day corresponding to when the electoral process began accompanied by the appropriate documentation. The coalition agreement for the election of federal representatives or senators shall be submitted for registration before the same authority, no later than thirty days from the beginning of applicable registration of candidates for the election. During the absence of the Director General, the agreement may be submitted before the General Secretary of the Institute.

2. The General Director shall compile the record and will inform the General Council.

3. The General Council shall decide before the registration of candidates' term begins according to the kind of election. Its resolution shall be definite and non-appealable.

4. Once the pact of the coalition is registered, the Institute shall arrange for its publication in the Official Journal of the Federation.

CHAPTER THIRD

The mergers

ARTICLE 65

- 1.** The national political parties, which decide to merge, must make a pact which shall, invariably, establish the characteristics of the new party; or which of the political parties preserves its legal status and the term of its register; and which party or parties will remain merged.
- 2.** For all legal effects, the term of the register of the new political party shall be the one corresponding to the oldest register of the party among those that have merged.
- 3.** The pact of merger must be presented to the General Director of the Federal Electoral Institute in order that, once the review is made which is referred to in paragraph 2 of article 57 of this Code, it will be submitted for the consideration of the General Council.
- 4.** The General Council shall decide on the term of the register of the new party, within the period of thirty days following its presentation, and shall arrange for its publication in the Official Journal of the Federation.
- 5.** For electoral purposes, the pact of merger must be communicated to the General Director, no later, than one year before the day of the election.

FIFTH TITLE

The loss of register

ARTICLE 66

1. The following will result in the loss of registration of a national political party:

a) Failure to participate in an ordinary federal electoral process;

b) Failure to obtain in two consecutive ordinary federal elections, at least the 1.5% of the votes cast in any of the elections for federal representatives, senators or President of the United Mexican States, if the party has a definite register, under the paragraphs 2 and 3 of article 35 of this Code;

c) Failure to obtain at least 1.5% of the votes cast in any of the ordinary federal elections for federal representatives, senators or President of the United Mexican States if it competes in a coalition or if it has a conditioned register;

d) Support the non-participation of its federal representatives when the House is installed into an Electoral College to declare the election of the President of the United Mexican States;

e) Failure to comply with the necessary requirements for obtaining the register;

f) Failure to comply with the duties established in this Code in the opinion of the General Council and in a grave and systematic way;

g) Being declared to be dissolved by agreement of its members, pursuant to its bylaws; and

h) Have joining to another political party under the previous article.

ARTICLE 67

1. For the loss of register referred to from clause a) to c) of the previous article, the Executive General Board of the Federal Electoral Institute must issue the corresponding notice based upon the results of the respective accounts and declarations of validity of the Councils of the Institute, as well as the resolutions of the Federal Electoral Tribunal by publishing them in the Official Journal of the Mexico Federation.

2. In the cases referred to from the clauses d) to h) of the previous article, the resolution of the General Council of the Institute over the loss of register for a political party, shall be published in the Official Journal of the Mexico Federation. No decision shall be made over the loss of register under the clauses d), e) and f) of the same article until the interested political party has been allowed to present its defense.

3. The loss of the register of a political party has no effect in relation with the victories obtained in the elections by its candidates according to the principle of relative majority.

THIRD BOOK

The Federal Electoral Institute

FIRST TITLE

Preliminary Provisions

ARTICLE 68

1. The Federal Electoral Institute, holder of the electoral authority, is responsible for the exercise of the state function of organizing the elections.

ARTICLE 69

1. These are objectives of the Institute:

- a) To contribute to the development of the democratic life;
- b) To preserve the strengthen of the system of political parties;
- c) To put together the Federal Register of Voters.

d) To assure the citizens the exercise of political-electoral rights and watch over the fulfillment of their obligations;

e) To guarantee the peaceful and periodic holding of elections to renew the members of the Legislative and Executive Branches of the Union;

f) To watch over the authenticity and the effectiveness of the vote;

g) To assist in the promotion and diffusion of the political culture.

2. All the activities of the Institute shall be in force by the principles of certainty, legality, impartiality and objectivity.

3. For the fulfillment of its activities, the Institute will rely on a body of functionaries formed into a Professional Electoral Service. It shall be an independent body from the central government and executive branch.

ARTICLE 70

1. The Federal Electoral Institute is an autonomous public entity of permanent character with its own proprietorship and legal status.

2. The proprietorship of the Institute is made up of the real estate, personal property, designed for the fulfillment of its objective, and the payments, assigned annually, to the Institute in the Expense Budget of the Federation.

3. The Institute shall be in force for its organization, operation, and control by the corresponding constitutional provisions and the provisions of this Code.

ARTICLE 71

1. Federal Electoral Institute has its residence in the Federal District and shall exercise its functions in the whole national territory, according to the following structure:

- a) 32 Delegations, one for each federal state;
- b) 300 Subdelegations, one for each *uninominal* electoral district.

2. The Institute shall have municipal offices in the places determined by the General Council.

SECOND TITLE

The central bodies

ARTICLE 72

1. These are the central bodies of the Institute:

- a) The General Council;
- b) The Executive General Board; and
- c) The General Directive Board.

CHAPTER FIRST

The General Council and its presidency

ARTICLE 73

1. The General Council is the highest form of management, it is responsible to safeguard the fulfillment of the

constitutional and legal provisions in electoral matters, as well as, to guide the activities of the Institute through the principles of certainty, legality, independence, impartiality and objectivity.

ARTICLE 74

1. The General Council is formed by one counselor of the Executive Branch, four counselors of the Legislative Branch, six citizens counselors and delegates of the national political parties.

2. The *consejero* of the Executive Branch shall be the Secretary of *Gobernación*⁹ who shall act as President of the General Council.

3. The *consejeros* of the Legislative Branch shall be two deputies and two senators. For each primary representative there shall be two alternates. In each Chamber, the majority shall select one of the two *consejeros* and the other will be selected by the largest minority. Both Chambers shall, invariably, have two primary representatives and their alternates.

4. In case of vacancy of the *consejeros* from the Legislative Branch, the President of the General Council shall address the Chambers of the Congress of the Union, so that they will make the corresponding designations.

5. The citizen counselors shall be elected under the following basis:

a) Each parliamentary group shall have the right to nominate up to four candidates. The corresponding commission of the House of Representatives must prepare a list of twice the numbers of candidates from which to choose from the proposals of the parliamentary groups;

b) From this list, the corresponding commission shall produce the individual resolution in which the formula for

citizen counselors, primary and alternate, is contained. The House of Representatives should select the citizen counselors by a vote of two-thirds of its present members. The candidacies of the counselors shall be voted upon pursuant to the procedure established in the chapter of votes in the Rules for the Internal Government of the General Congress of the United Mexican States.

c) If three rounds of votes are at least made and the total number of the counselors are not selected, the corresponding commission shall submit a new list with twice the number of open positions for counselors. In this last case, the procedure described in the aforementioned clauses shall be followed;

d) Repealed.

e) The citizen counselors, primaries and alternates, shall remain in office for eight years; and

f) The rules and procedures enacted to verify compliance with the requirements shall be established by the Chamber in its internal regulations.

6. The national political parties shall appoint a delegate speaker but with no voting capacity.

7. The political parties may replace their delegate at all times to its delegate, giving advanced notice to the President of the General Council.

8. Repealed.

ARTICLE 75 Repealed.

ARTICLE 76

1. The citizen counselors must fulfill the following requirements:

- a)** To be a Mexican citizen by birth, in full exercise of his political and civil rights;
- b)** To be enrolled in the Federal Register of Voters and have a Credential to Vote;
- c)** To be more than thirty years-old the day of the designation;
- d)** To hold on the day of his or her designation a college degree or the equivalent education and have knowledge on the electoral and political matters;
- e)** To possess a good reputation and not to have been sentenced for any crime, except in the cases of an unintentional or negligent offense;
- f)** To have lived in the country the last five years, except in the case of an absence in service of the Republic in a period not greater than six months;
- g)** Not to perform or not to have performed the office of President of the National Executive Committee or the equivalent of a political party;
- h)** Not to have or not to have had any office of popular election the last five years previous to the designation; and
- i)** Not having or having had any position of national or state direction in any political party within the previous and immediate three years before the election.

2. The salary received by the citizen counselors shall be included in the Expenses Budget of the Federation.

ARTICLE 77

1. The citizen counselors as members of the General Council may not hold any commission or position in the Fed-

eration, States, Municipalities or Political Parties while serving in their office. Nor may they serve in any remunerated position or employment that may imply dependency or subordination.

2. The citizen counselors may receive remuneration derived from the free exercise of their profession, from royalties, intellectual property or publications, as always independence, impartiality and equity that should guide the exercise of their function are not be altered; they may hold non-remunerative positions in scientific, literature or charity associations.

3. For the interpretation of this provision, the Federal Electoral Tribunal shall be consulted.

ARTICLE 78

1. The General Council shall meet in ordinary session every three months. Its President may convoke an extraordinary session when he considers it necessary or by petition of the majority of the representatives of the national political parties.

2. For the preparation of the electoral process, the General Council shall assemble within the first week of the month of November of the previous year in which the ordinary federal elections should organize (**first week of January 1994 under the first paragraph of eighth transitory article: D.O. 24-DX-93**). Beginning from this date until the foreclosure of the process, the Council shall hold sessions once a month.

ARTICLE 79

1. For the General Council to hold session it is required that most of its members be present and especially the President. The resolutions must be voted by a majority of votes.

2. The General Director and the General Secretary of the Federal Electoral Institute shall attend the meetings with authority to speak, but without the right to vote. The Department of the Council shall be under the charge of the General Secretary of the Institute.

3. In case that the majority, referred to in paragraph 1, does not meet, the meeting shall be held within the following 24 hours with the *consejeros* and representatives who are present, among them the President must be present.

ARTICLE 80

1. The General Council shall form the commissions considered necessary for the fulfillment of its functions, with the number of members to be agreed on for each case.

2. In all issues entrusted to the commissions, they must present a draft resolution or opinion.

3. The Secretary of the General Council shall collaborate with the commissions for the fulfillment of the entrusted duties.

ARTICLE 81

1. The General Council shall order the publication, in the Official Journal of the Federation, of the pronounced general agreements and resolutions, and others the General Council determines to be published, as well as the names of the members of the Local and District Councils designated under the terms of this Code.

CHAPTER SECOND

The attributes of the General Council

ARTICLE 82

1. The General Council has the following attributes:

a) To issue the necessary internal rules for the good operation of the Institute;

b) To watch the proper integration, summons and adequate working of the bodies of the Institute and to read the specific reports that the General Council deemed necessary and request their production;

c) To designate the General Director of the Institute by the vote of two-thirds of its members from among three nominations presented by the President of the Council. In case that a majority is not obtained, the designation shall be made by a drawing from among those nominations presented by the President of the Council;

d) To select the General Secretary and the Executive Directors of the Institute by a vote of one third of its members, under the proposal made by the General Director. In the case of not obtaining such a majority a three candidates formula shall be submitted for that purpose and if in this second attempt the majority sought is not achieved, the designation shall be made by lottery from among the members of that three candidate formula;

e) To select by absolute majority from the proposals made by the General Executive Board the citizen counselors of the Local Councils under paragraph 3, article 102 of this Code, no later than the November 30th of the year previous to the election (**January 31, 1994, under first paragraph of eighth transitory article; D.O. 24-IX-93**).

- f)** To decide, under the provisions of this Code, to grant a register to the political parties, as well as the loss of such register under the cases established in the clauses from d) to h), article 66 of this Code. Also. It shall issue the relevant notice and publish it in the Official Journal of the Mexican Federation;
- g)** To decide on the pacts of merger, front, and coalition made by the national political parties;
- h)** To make sure that the activities of the national political parties are developed under the terms of this Code and that they fulfill their obligations;
- i)** To make sure that what is related to the prerogatives of the national political parties are done under the terms of this Code;
- j)** To dictate the statutes related to the Federal Register of Voters;
- k)** To order the Executive General Board to do the studies and formulate the plans for the division of the national territory into 300 *uninominal* electoral districts;
- l)** To order the Executive General Board to do the studies and formulate the plans in order to determine for each election the territorial scope of the five *plurinominal* electoral circumscriptions and the capitals of the states which shall be the headquarters for each of them, as well as the number of deputies by proportional representation who will be elected in each *plurinominal* electoral circumscription;
- ll)** Approve the sample pictured, voting card credential to vote with the rules of the electoral day and the remainder of the electoral documentation format.
- m)** Decide the maximum limit for campaign expenses allowed to be spent by the political parties in the election of

the President of the United Mexican States, under the clause a) paragraph 4, article 182-A of this Code, likewise to determine the values to be considered for the setting of the upper limit of campaign expenses for the election of representatives for relative majority, based upon the clause b), paragraph 4 of the same article 182-A and by initiative from the Director General;

n) To register the electoral platform which the political parties have to present for each electoral process, under the terms of this Code;

o) To register the candidatures of President of the United Mexican States;

p) To register the regional lists of candidates for deputies by proportional representation which the national political parties shall present, and inform the Local Councils, established in the headquarter of the corresponding circumscription, about it;

q) To register, in addition, the *fórmulas* of candidates for deputies by the principle of relative majority and *fórmulas* of senators;

r) To do the total vote count of the election of all the lists of federal representatives elected through the principle of proportional representation, to make the declaration of validity of the election of representatives by such principle, to determine the assignment of representatives for each political party and to grant the respective certifications no later than August 23th of the election year, in accordance to this Code (**October 23, 1994 under first paragraph of the eighth transitory article; D.O. 24-IX-93**).

s) To inform the House of Representatives about the granting of assignment certifications to representatives elected by the principle of proportional representation and also over the appeals filed;

t) To inform the House of Representatives about the development of the work done by the Federal Electoral Institute and in its case, over the appeals filed in the election of the President of the United Mexican States, with the purpose of its decision or qualification;

u) To know the trimester and annual reports which the Executive General Board delivers to it through the General Director of the Institute;

v) To require the Executive General Board to investigate, by means within its authority, acts which greatly effect the rights of the political parties or the federal electoral process;

w) To resolve the appeals of *revisión* which are presented to it in the terms of this Code;

x) To approve annually the preliminary budget plans of the Institute which shall be proposed by the President of the Council; and

y) To dictate the necessary agreements in order to make the previous attributions and the others noted in this Code effective.

2. The General Council, at the time of the celebration of the federal electoral processes, may invite and approve the rules and guidelines on which the invitation to foreign visitors shall be made for its attention and information, in their acknowledgment of such elections at any of their stages.

CHAPTER THIRD

The attributes of the Presidency and of the Secretary of the General Council

ARTICLE 83

1. The following attributes correspond to the President of the General Council:

a) To watch over the unity and cohesion of the activities of the bodies of the Federal Electoral Institute;

b) To establish the ties among the Institute and the federal, state, and municipal authorities, in order to obtain their help and collaboration, in their respective scopes of authority, whenever this is necessary in order to fulfill the goals of the Council;

c) To convoke and direct the meetings of the Council;

d) To watch over the fulfillment of the adopted agreements by the Council;

e) To propose, to the General Council, the appointment of the General Director of the Institute, in the terms of clause c) of paragraph 1 of article 82 of this Code;

f) Repealed

g) To propose annually to the General Council for its approval, the preliminary budget plans of the Institute;

h) To forward, for the consideration of Chief Executive of the Executive Branch, the budget plan of the Institute approved by the General Council, in the terms of the relevant law;

i) To receive, from the national political parties, the petitions of register of candidates for the President of the Republic and those of the candidates for deputies by the principle of proportional representation and submit them to the General Council for their register; and

j) The rest that is conferred to him in this Code.

ARTICLE 84

1. The following attributes correspond to the Secretary of the General Council:

a) To assist the Council and its President in the exercise of their attributes;

b) To prepare the order of the day of the meetings of the Council, to declare the existence of a quorum, to attest to what has been performed in the meetings, to draft the corresponding minutes and to submit it for the approval of the *consejeros* and attending representatives;

c) To inform about the fulfillment of the agreements of the Council;

d) To give an account of the draft opinions of the commissions;

e) To receive and hear the appeals of *revisión* that are filed against the acts or resolutions of the local bodies of the Institute and to prepare the corresponding opinion;

f) To receive and to give the stated procedure in the seventh book of this Code, for the appeals that are filed against the acts or resolutions of the Council, informing about them in its immediate session;

g) To inform the Council of the resolutions dictated by the Federal Electoral Tribunal which concern it;

- h)** To manage the files of the Council;
- i)** To issue the documents that certify the legal status of the Council and of the representatives of the political parties;
- j)** To sign, along with the President of the Council, all the agreements and resolutions that are issued by him; and
- k)** The rest that is conferred to him by this Code, the General Council and its President.

CHAPTER FOURTH

The Executive General Board

ARTICLE 85

1. The Executive General Board of the Institute shall be presided over by the General Director and shall be formed of the General Secretary of the Institute and the Executive Directors of the Federal Register of Voters, of Prerogatives and Political Parties, of Electoral Organization, of the Professional Electoral Service, of Civic Education and Electoral Preparation, and of Administration.

ARTICLE 86

1. The Executive General Board shall assemble, at least once a month, having the following attributes:

- a)** To set the general policies, the programs and the administrative procedures of the Institute;
- b)** To supervise the fulfillment of the programs related to the Federal Register of Voters;

- c)** To supervise the fulfillment of the applicable norms for the national political parties and their prerogatives;
- d)** To evaluate the performance of the Professional Electoral Service;
- e)** To supervise the fulfillment of the programs of electoral preparation and civil education of the Institute;
- f)** To select the candidates and to submit, for the consideration of the General Council, the proposals of the citizen *consejeros*, that are referred to in clause e) of article 82, in the first meeting that is held to prepare the electoral process;
- g)** Propose to the General Council the opening of municipal offices depending upon the studies made and the budgetary constraints;
- h)** To develop the necessary actions to assure that the commissions of national, local, and district vigilance are created, convened, and function in the stated terms of this Code;
- i)** To produce the declaration of loss of register for the political party which would be in any of the provisions stated in clauses a) to c), article 66 of this Code, no later than the last day of the following month to which the electoral process is finished, and to communicate it to the General Council of the Federal Electoral Institute and to request its publication in the Official Journal of the Mexican Federation;
- j)** To resolve the appeals of *revisión* that are presented, in the two years previous to the electoral process, filed against the acts and resolutions of the local bodies of the Institute, in the terms established in the Seventh Book of this Code; and

k) The rest that is entrusted to it by this Code, the General Council or its President.

CHAPTER FIFTH

The General Director and the General Secretary of the Institute

ARTICLE 87

1. The General Director presides over and coordinates the General Board, leads the administration and supervises the adequate development of the activities of the executive and technical bodies of the Institute.

2. The General Director shall remain in office for eight years.

ARTICLE 88

1. The General Director shall fulfill the following requirements:

a) To be a Mexican citizen by birth;

b) To be in full exercise of his political rights;

c) Not to be older than sixty-five years, nor younger than thirty at the day of the appointment;

d) To have an administrative seniority greater than five years at the time of the appointment, college degree and the knowledge required for properly fulfilling his duties;

e) To have an honorable reputation and not to have been sentenced for any crime, excepting those non-intentional or imprudent misdemeanors;

f) To have a residence in the country for the last five years, excepting the cases of absence for a lesser period of six months for being serving the Republic;

g) Not to hold nor having held the office of President of the National Executive Council or any equivalency of a political party;

h) Not to have nor having had any electoral position in the five years prior to the appointment; and

i) Not to hold nor having held a position of national or state direction in any political party in the last immediate three years before the appointment.

ARTICLE 89

1. These are the attributes of the General Director:

a) To legally represent the Institute;

b) To attend the sessions of the General Council of the Institute, with authority to speak but without vote;

c) To fulfill the agreements of the General Council;

d) To submit for the knowledge and, if applicable, for the approval of the General Council, the matters within its authority;

e) To orient and coordinate the actions of the Executive Directive Board and of the Executive Local and District Boards of the Institute;

f) To assemble, with the appropriate authorities, the information and documents that the Executive Directive Board of the Federal Register of Voters has contributed for the local electoral processes;

g) To provide what is necessary in order to publish the agreements and resolutions which are pronounced by the General Council;

h) To compile the files with the records of *plurinomial* circumscription vote counts and to timely present them to the General Council;

i) To approve the structure of the Executive Directive Boards, delegationships, and the other bodies of the Institute according to the needs of the service and the authorized budget source;

j) To appoint the members of the Executive Local and District Boards from among the members of the Professional Electoral Service of the Institute, in conformity with the applicable provisions;

k) To provide to the bodies of the Institute, the necessary elements in order to fulfill their functions;

l) To set forth mechanisms for the immediate diffusion in the General Council, of the preliminary results of the elections for federal representatives, senators and President of the United Mexican States; in pursuance thereof it shall operate a computer system to gather the preliminary results. In this case, the results are able to be transmitted in a previous way to the one established in clauses a) and b), paragraph 1, article 243 of this Code. To the system established, the counselors and delegates from the political parties, accredited before the General Council, shall have access;

ll) To order, when it should be deemed appropriate, the performance of studies or proper procedures for knowing the electoral trends the day of the election. The results of such studies may only may be divulged by previous authorization of the General Council;

- m)** To make the public knowledge the electoral statistics, by section, municipality, district, State or territory and plurinominal circumscription once the electoral process has concluded;
- n)** To receive, for purposes of information and electoral statistical survey, copies of the files of all the elections;
- o)** To make an account to the General Council with reports about the elections received by the Local and District Councils;
- p)** To annually process, in agreement with the applicable laws, the budget plan of the Institute, in order to submit it for the consideration of the President of the General Council;
- q)** To exercise the approved budget items;
- r)** To grant authority, in name of the Institute, for acts of ownership, administration, and in order that the Institute may be represented before any administrative or judicial authority or private persons. In order to perform acts of ownership over real property assigned to the Institute or in order to grant authority for those purposes, the General Director shall require the previous authorization of the General Council;
- s)** To prepare, for the approval of the General Council, the calendar schedule for extraordinary elections, according to the respective summons; and
- t)** The rest that this Code dictates.

ARTICLE 90

1. The General Secretary of the Federal Electoral Institute has the following attributes:

a) To substitute for the General Director of the Institute in his temporary absences;

b) To act as Secretary of the General Council of the Institute. In the sessions, he shall participate with authority to speak, but without vote;

c) To act as Secretary of the Executive General Board and to prepare the order of the day of its sessions;

d) To fulfill the instructions of the General Director and to assist him in his tasks;

e) To receive the reports of the Executive Delegates of the Executive Local and District Boards and to give an account to the General Director about the reports;

f) To issue the certifications which are required;

g) To hear the appeals that must be determined by the Board during the two years previous to the electoral process; and

h) The rest that is entrusted to him by the Board and the General Director.

2. The General Secretary shall remain in his office eight years.

CHAPTER SIXTH

The Executive Directive Boards

ARTICLE 91

1. In charge of every one of the bureaus of the General Board, an Executive Director shall be appointed by the General Council.

2. The General Council shall make the appointments stated in the last paragraph, based upon the clause d), paragraph 1, article 82 of this Code.

3. The Directors must satisfy the following requirements:

a) To be Mexicans by birth;

b) To be in full exercise of their political rights;

c) To be at least 25 years of age;

d) To have professional title or equivalent in areas or disciplines entailed in the function that they will have to perform; and

e) To have experience in the corresponding area.

4. The General Director shall submit to the General Council the proposals for the creation of new directive boards or technical units for the better operation of the Institute, according to budget availability.

ARTICLE 92

1. The Executive Directive Board of the Federal Register of Voters has the following attributes:

a) To form the General Catalogue of Voters;

b) To apply, in the terms of article 141 of this Code, the total census technique in the territory of the country, in order to form the General Catalogue of Voters;

c) To apply the census technique in partial form in the territorial scope which the General Executive Board determines;

d) To form the Electoral Census;

- e)** To issue the Credential to Vote, according to what is stated in the First Title of the Fourth Book of this Code;
- f)** To revise and update, annually, the Electoral Census according to the established procedure in the Third Chapter of the First Title of the Fourth Book of this Code;
- g)** To establish the necessary coordination with the federal, state, and municipal authorities, in order to obtain the information about the deaths of the citizens, or about the loss, suspension, or the granting of citizenship;
- h)** To furnish to the appropriate bodies of the Institute and to the national political parties the voter registration lists in the terms of this Code;
- i)** To formulate, based on the studies that are performed, the plan of division of the national territory into 300 *uninominal* electoral districts, as well as into five *plurinominal* circumscriptions;
- j)** To keep the electoral cartography of the country current, classified by state, federal electoral district, municipality, and electoral section;
- k)** To assure that the commissions of national, state, and district vigilance are created, convened, and function in the stated terms of this Code;
- l)** To manage the books of register and attendance of the representatives of the political parties to the commissions of vigilance;
- m)** To require, from the commissions of vigilance, the studies and the disclosure of inquiries about the subjects that are deemed proper, within its scope of authority;
- n)** To agree with the General Director of the Institute about the scope of its authority;

o) The rest that is conferred to it by this Code.

2. In order to assist in the related tasks of the Electoral Census, the National Commission of Vigilance shall be created, which will be presided over by the Executive Director of the Federal Register of Voters, with the participation of the national political parties.

ARTICLE 93

1. The Executive Directive Board of Prerogatives and Political Parties has the following attributes:

a) To be aware of the notices that are formed by the organizations which try to establish as national political parties and carry out the appropriate actions;

b) To receive the petitions of register of the organizations that have complied with the established requirements in this Code and to create the respective file, in order that the General Director can submit it for the consideration of the General Council;

c) To enroll the register of parties in the respective book, as well as the pacts of merger, fronts, and coalitions;

d) To administer the public financial support to the national political parties to which they have a right, according to what is stated in this Code;

e) To carry out the necessary steps, so that the political parties may make use of the postal and telegraphic privileges which correspond to them;

f) To support the actions of the political parties in order to make the prerogatives effective which have been conferred in the taxation and fee system;

- g)** To carry out the actions, so that the political parties can exercise their prerogatives and may hire air time on radio and television, under the provisions of this Code;
- h)** To preside over the Commission of Radio-Broadcast;
- i)** To have the book of records of the members of the directive bodies of the political parties and of their delegates accredited before the bodies of the Institute at the national, local and district level;
- j)** To manage the books of register of the candidates at the offices for popular election;
- k)** To establish with the General Director, the scope of its authority; and
- l)** To perform as technical secretary of the commission of counselors referred in paragraph 6, article 49 of this Code; and
- m)** The rest that is conferred to it by this Code.

ARTICLE 94

1. The Executive Directive Board of Electoral Organization has the following attributes:

- a)** To support the formation, installation, and operation of the Executive Local and District Boards;
- b)** To create the forms of the electoral documentation, in order to submit them, by means of the General Director, for the approval of the General Council;
- c)** To provide whatever is necessary for the printing and distribution of the authorized electoral documentation;

- d)** To obtain, from the Local Councils and the District Councils, copies of the minutes of their sessions and the rest of the documents related to the electoral process;
- e)** To obtain the necessary documentation and to create the files, so that the General Council can effectuate the vote count which it must do according to this Code;
- f)** To conduct the statistical survey of the federal elections;
- g)** To establish with the General Director the scope of its authority; and
- h)** The rest that is conferred to it by this Code.

ARTICLE 95

1. The Executive Directive Board of the Professional Electoral Service has the following attributes:

- a)** To formulate the plans of order which shall govern the members of the Professional Electoral Service;
- b)** To fulfill and to make others fulfill the norms and procedures of the Professional Electoral Service;
- c)** To carry out the programs of recruiting, selection, formation, and development of the professional personnel;
- d)** To establish with the General Director the scope of its authority; and
- e)** The rest that is conferred to it by this Code.

ARTICLE 96

1. The Executive Directive Board of Electoral Preparation and Civic Education has the following attributes:

- a)** To create and to propose the programs of civic education and electoral preparation which the Executive Local and District Boards develop;
- b)** To coordinate and watch over the fulfillment of the programs that are referred to in the previous clause;
- c)** To prepare the teaching material and the electoral instructions;
- d)** To orient the citizens for the exercise of their rights and the fulfillment of their political-electoral obligations;
- e)** To take the necessary actions to admonish the citizens who have not fulfilled the obligations established in the present Code, so that they will fulfill them, in particular, those related with the enrollment in the Federal Register of Voters and the obligation to vote;
- f)** To establish with the General Director its scope of authority; and
- g)** The rest conferred to it by this Code.

ARTICLE 97

1. The Executive Directive Board of Administration has the following attributes:

- a)** To apply the policies, rules and procedures for the administration of the financial and material sources of the Institute;
- b)** To organize, direct and control the administration of the material and financial sources, as well as the rendering of general services in the Institute;
- c)** To formulate the annual budget plan of the Institute;

- d)** To establish and to operate the administrative systems for the exercise and control of the budget;
- e)** To create the draft of the manual of organization and the catalogue of offices and positions of the Institute and submit it for their approval to the Executive General Board;
- f)** To attend to the administrative needs of the bodies of the Institute;
- g)** To establish with the General Director its scope of authority; and
- h)** The rest conferred to it by this Code;

THIRD TITLE

The bodies in the Delegations

ARTICLE 98

1. In each of the federal states, the Institute shall have a Delegation formed of:

- a)** The Executive Local Board;
- b)** The Executive Delegate;
- c)** The Local Council.

2. The bodies mentioned in the previous paragraph shall have their seat in the Federal District and one for each capital of the states.

CHAPTER FIRST

The Executive Local Boards

ARTICLE 99

1. The Executive Local Boards are permanent bodies formed of: the Executive Delegate and Delegates of the Electoral Organization, of the Federal Register of Voters, of the Electoral Preparation and Civic Education, and the Secretary Delegate.

2. The Executive Delegate shall preside over the Board.

3. The Secretary Delegate shall help the Executive Delegate in the administrative duties and shall hear the appeals of *revisión* which must be resolved by the Board.

4. These members of the Executive Local Boards shall be, invariably, functionaries of the Professional Electoral Service.

ARTICLE 100

1. The Executive Local Boards shall be in session, at least, once a month, and shall have, within their scope of authority, the following attributes:

a) To supervise and evaluate the fulfillment of the programs and actions of their delegationships and the district bodies;

b) To supervise and evaluate the fulfillment of the plans related to the Federal Register of Voters, the Electoral Organization, the Professional Electoral Service, and the Electoral Preparation and Civic Education;

c) To inform, monthly, the General Director about the development of their activities;

d) To submit to the attention of the corresponding Local Councils during the first sessions to be held on December of the previous year of the election (**February 1994, under the first paragraph of eighth transitory article; D.O. 24-IX-93**), the proposals from the citizen counselors regarding the formation of the district councils;

e) To receive, hear, and resolve the appeals of *revisión* presented against the acts and resolutions of the district bodies during the two years previous to the electoral process, in the terms established in the Seventh Book of this Code; and

f) To draft and submit to approval from the Local Council the budget with the upper limit of expenses that the political parties may spend in the campaigns for each formula of candidates of senators in their States or territory, based upon article 182-A of this Code;

g) To receive the application for accreditation filed by the Mexican citizens or the groups to which they belong, in order to participate as observers during the electoral process, in accordance to clause c), paragraph 3, article 5 of this Code; and

h) The rest conferred to them by this Code.

CHAPTER SECOND

The Executive Delegates of the Local Boards

ARTICLE 101

1. The following are attributes of the Executive Delegates, within their scope of authority:

- a)** To preside over the Executive Local Board and, during the electoral process, the Local Council;
 - b)** To coordinate the functions of the delegates of the Board and distribute among them the matters within their authority;
 - c)** To submit, for the approval of the Local Council, the matters within its authority;
 - d)** To fulfill the plans related to the Federal Register of Voters;
 - e)** To order the Secretary Delegate to issue the certifications requested by the political parties;
 - f)** To supply the Executive District Boards and the District Councils with the necessary elements for the fulfillment of their functions;
 - g)** To carry out the statistical survey of the federal elections;
 - h)** To carry out the plans of electoral preparation and civic education; and
 - i)** The rest conferred to them by this Code.
- 2.** In order to help with the duties related to the Electoral Census, in each federal state a Local Commission of Vigilance shall be formed.

CHAPTER THIRD

The Local Councils

ARTICLE 102

1. The Local Councils shall function during the federal electoral process and shall be formed by two counselors, one as Executive Delegate and the other as Clerk Delegate; six citizens counselors and delegates from the national political parties. The delegates from the Electoral Organization, from the Federal Register of Voters and from the Electoral Education and Civic Education of the Local Board shall have voice but no voting powers at the sessions.

2. The Executive Delegate and the Clerk Delegate of the Board shall be President and Secretary respectively of the Local Council. The Clerk Delegate shall have voice but no voting capacity.

3. The citizen *consejeros* shall be designated as stated in clause e) of article 82 of this Code. For each primary citizen *consejero* there shall be an alternate. The designations may be opposed before the Central Court of the Federal Electoral Tribunal when one of the requirements stated in the previous article is not met.

4. The delegates of the national political parties shall have voice but no voting powers; they shall be determined under the rule established in paragraph 6, article 74 of this Code.

5. Repealed.

ARTICLE 103

1. The citizen *consejeros* must satisfy the following requirements:

a) To be a Mexican citizen by birth, in full possession of their political and civil rights and to be enrolled in the Federal Register of Voters;

b) To be a native or resident of the respective state;

c) To have knowledge for the adequate fulfillment of their functions;

d) Not to have or not having had any office of popular election, nor have been selected as a candidate, in the last five immediate years before the appointment;

e) Not to be or having been national, state or municipal leader of any party in the three immediate years before the appointment; and

f) To possess a good reputation and not to have been convicted of any crime, except in the cases of unintentional or negligent crimes.

2. The citizen *consejeros* shall be designated by two ordinary electoral processes and they can be reelected.

3. For the discharge of their functions, they shall have the right to use the necessary facilities in their usual works or jobs.

4. The citizen *consejeros* shall receive a daily salary determined for each electoral process.

ARTICLE 104

1. The Local Councils shall begin sessions at the latest, on November 30th of the year previous to the ordinary election (**January 31, 1994, under the first paragraph of the eighth transitory article; D.O. 24-IX-93**).

2. From the date of their installation until the conclusion of the process, the Councils shall meet, at least, once a month.

3. In order for the Local Councils to meet validly, it is necessary to have the presence of the majority of its members, among them the President must be present who may be substituted in his transitory absences by the Secretary of the Council. In this case, the powers of the Secretary shall be delegated to anyone from the Electoral Professional Service appointed by the Council.

4. In case that the majority cannot be reached, according to the last paragraph, the session shall be held within the following twenty-four working hours validly with the counselors and delegates who attend in any number but with the necessary presence of the President or the Secretary.

5. The Local Councils shall make their resolutions by majority vote and, in case of a tie, the vote of the President shall be the deciding vote.

ARTICLE 105

1. The Local Councils, within their scope of authority, have the following attributes:

a) To watch over the observance of this Code, and the agreements and resolutions of the electoral authorities;

b) To make sure that the District Councils are installed in the state, under the terms of this Code;

c) To designate by absolute majority, during the month of December of the year before the election (**February 1994, under the first paragraph, eighth transitory article ; D.O. 24-IX-93**) to the citizen counselors that form the District Councils referred to them in the paragraph 3,

article 113 of this Code, based upon the proposals made with that purpose by the Executive Local Board;

d) To approve the upper limit of expenses that the political parties may spend in the campaigns of each formula of candidates to senators in their State or territory, under the established in article 182-A of this Code;

e) To certify the mexican citizens or the groups to which they belong, once they have submitted their application before the corresponding Local Board to participate as observers during the electoral process, under the clause c), paragraph 3, article 5 of this Code;

f) To publish the formation of the District Councils, at least, in one of the journals with the largest circulation in the location;

g) To register in addition the appointments of the delegates or general delegates before the poll boards, in the case stated in paragraph 3, article 203 of this Code;

h) To register the formulas of the candidates for senators;

i) To do the total vote count of the election for senators, and produce its declaration of validity, based on the results established on the records of district vote counts, to inform about the corresponding results and to send the original and certified copies of the file, in the terms stated in the Fourth Chapter of the Third Title of the Fifth Book of this Code;

j) To solve the appeals of revision over which they may have jurisdiction, in the terms of this Code; and

k) The rest conferred to them by this Code.

ARTICLE 106

1. The Local Councils with residence in the capitals designated as headquarters of *plurinominal* circumscription, besides the attributes referred to in the previous article, shall have the following:

a) To collect from the District Councils, comprised in the respective circumscription, the vote count records of proportional representation voting;

b) To carry out the *plurinominal* circumscription vote counts; and

c) To turn over the original and the copies of the file of the *plurinominal* circumscription vote count, as stated in the Fifth Chapter of the Fourth Title of the Fifth Book of this Code

CHAPTER FOURTH

The attributes of the Presidents of the Local Councils

ARTICLE 107

1. The Presidents of the Local Councils have the following attributes:

a) To convoke and conduct the sessions of the Council;

b) To receive, by themselves or by means of the Secretary, the petitions of register of candidacies for senator presented by the national political parties;

c) To register in terms of paragraph 3, article 5 of this Code, to the citizens that have had submitted their application to participate as observers during the election day;

d) To give an account, to the General Director of the Institute of the vote counts and declarations of validity related to the elections for senators, as well as the appeals of inconformity filed, within the five days following the session devoted to the aforementioned activities;

e) To make sure of the delivery to the District Councils, of the approved documents, instruments, and necessary elements for the fulfillment of their duties;

f) To issue the majority certification and validity of the election for the formulas of candidates for senators which have obtained the greater number of votes as well as the Assignment certification for the formula of prime minority regarding the vote count and declaration of validity from the Local Council and to inform the General Council;

g) To watch over the fulfillment of the resolutions dictated by the respective Local Council;

h) To receive and turn over the appeals of revision, appeals and inconformities filed against the acts and resolutions of the Council, in terms of the Seventh Book of this Code; and

i) The rest conferred to them by this Code.

2. The Presidents shall be assisted in their functions by the Secretaries of the Councils. The secretaries shall be responsible for the hearing of the appeals of *revisión* that must be resolved by the Council.

3. The President of the Local Council shall convoke meetings when the majority of the representatives of the national political parties consider it necessary. The summons shall be in writing.

FOURTH TITLE

The bodies of the Institute in the *uninominal* electoral districts

ARTICLE 108

1. In each one of the 300 electoral districts the Institute shall have the following bodies:

- a) The Executive District Board;
- b) The Executive Delegate; and
- c) The District Council.

2. The district bodies shall be located in the headquarters of each one of the electoral districts.

CHAPTER FIRST

The Executive District Boards

ARTICLE 109

1. The Executive District Boards are permanent bodies formed by: The Executive Delegate, the Delegates of the Electoral Organization, of the Federal Register of Voters, of Electoral Preparation and Civic Education, and a Secretary Delegate.

2. The Executive Delegate shall preside over the Board.

3. The Secretary Delegate shall assist the Executive Delegate in the administrative duties of the Board.

4. These members of the Executive District Boards shall be, invariably, functionaries of the Professional Electoral Service.

ARTICLE 110

1. The Executive District Boards shall meet, at least, once a month and shall have, within their territorial scope of authority, the following attributes:

a) To evaluate the fulfillment of the plans related to the Federal Register of Voters, Electoral Organization, Electoral Preparation and Civic Education;

b) To propose, to the corresponding District Council, the number and location of the polling places which will be installed in each one of the sections contained in its district, in agreement with what is stated in article 95 of this Code;

c) To prepare the citizens that shall form the poll boards, in terms of the Title Fifth of this Book;

d) To prepare and submit to the District Council for approval, the draft of upper limit of expenses of campaign that the political parties may spend in the election of federal relative majority representatives from the uninominal electoral district, under the stated in article 182-A of this Code; and

e) The rest conferred to it by this Code.

CHAPTER SECOND

The Executive Delegates of the District Boards

ARTICLE 111

1. The following are attributes of the Executive Delegates of the District Boards in their respective scopes of authority:

a) To preside over the Executive District Board and during the electoral process to preside over the District Council;

b) To coordinate the delegationships under their charge and to distribute among them the matters within their authority;

c) To submit, for the approval of the District Council, the matters of within its authority;

d) To complete the plans related to the Federal Register of Voters;

e) To issue the certifications requested by the political parties;

f) To supply the delegationships and, if need be, the municipal offices with the necessary elements for the fulfillment of their duties;

g) To execute the plans of electoral preparation and civic education;

h) To supply whatever is necessary in order to publish the lists of poll board formation and their location, in the terms of this Code;

i) To inform the Executive Delegate of the corresponding Executive Local Board about the development of their activities; and

j) The rest that this Code assigns to them.

2. In order to assist in the related duties of the Electoral Census in each electoral district, a District Commission of Vigilance shall be formed.

ARTICLE 112

1. The Federal Electoral Institute shall have municipal offices. In the agreements of creation of the offices, the Executive General Board shall determine their structure, functions, and their territorial jurisdiction.

CHAPTER THIRD

The District Councils

ARTICLE 113

1. The District Councils shall function during the federal electoral process and they shall be made up of two counselors who will be the Executive and Clerk Delegates of the Executive District Board; six citizens counselors and delegates of the national political parties. Delegates of the electoral organization, Federal Register of Voters, Electoral Education and Civic Education of the District Board shall join the sessions with voice but no voting powers.

2. The Executive Delegate and the Clerk Delegate of the Executive District Board shall be President and Secretary of the District Council. The Clerk Delegate shall have voice but not voting capacity.

3. The six citizen *consejeros* shall be designated by the corresponding Local Council, in conformity with what is stated in clause c) of article 105 of this Code. For each citizen *consejero* there shall be an alternate. The designations may be contested, in the stated terms in the Seventh Book of this Code, when some of the noted requirements in the following article are not met.

4. The delegates of the national political parties shall have voice but not voting capacity; they shall be selected under the rule established in paragraph 6, article 74 of this Code.

5. Repealed.

ARTICLE 114

1. The citizen *consejeros* must satisfy the following requirements:

- a) To be Mexicans by birth, in full exercise of their political and civil rights;
- b) To be enrolled in the Federal Register of Voters and to have the Credential to Vote;
- c) To be a native or resident of the corresponding state;
- d) To have the adequate knowledge for the discharge of their functions;
- e) Not to hold or have held office by popular election, or have been nominated as a candidate for any of such offices, in the last six years prior to the appointment;
- f) Not to be or have been a national, state or municipal leader of any political party in the immediate three years before the appointment;

g) To possess a good reputation and not to have been convicted for any crime, except that which has been characterized non-intentional or negligent.

2. The citizen *consejeros* shall be appointed for two ordinary electoral processes and may be reelected.

3. For the performance of their functions, they shall have the right to have, at their disposal, the necessary facilities in their usual tasks or jobs.

4. The citizen *consejeros* shall receive a daily salary which is determined for each electoral process.

ARTICLE 115

1. The District Councils shall begin their sessions no later than December 31st of the previous year to the ordinary election (**February 28, 1994, in terms of the first paragraph of eighth transitory article; D.O. 24-IX-93**).

2. From their installation and until the conclusion of the process, the Councils shall meet, no less than, once a month.

3. In order that the District Councils may validly meet, the presence of the majority of its members is necessary, among them the President, who may be substituted in his temporary absences by the Secretary of the Council. In this case, the functions fulfilled by the Secretary may be delegated to any member of the Professional Electoral Service that may be appointed by the Council.

4. In case that the majority does not gather, pursuant to the last paragraph, the session shall take place within the following twenty-four hours with any number of counselors and delegates attending, among them the presence of the President or the Secretary is deemed necessary.

5. They shall take their resolutions by majority vote, in case of a tie, the President shall be the deciding vote.

ARTICLE 116

1. The District Councils have, in their scope of authority, the following attributes:

a) To watch over the observance of this Code and of the agreements and resolutions of the electoral authorities;

b) To approve the upper limit for campaign expenses allowed to the political parties in the election of relative majority representatives in the uninominal electoral district, under the stated provision of article 182-A of this Code;

c) To determine the number and the location of the polling places, according to the procedure stated in articles 195 and 197 of this Code;

d) To choose the members of the poll boards in accordance with the procedure stated in article 193 and to oversee their proper installation, under the Code;

e) To register the formulas of candidates for federal representatives by the principle of relative majority;

f) To register the designation of delegates that the political parties certify for the election day;

g) To certify that the mexican citizens, or the group they belong to, have submitted their applications to the corresponding District Board, to participate as observers during the electoral process, in accordance to clause c), paragraph 3, article 5 of this Code;

h) To issue identifications to the delegates of the parties, in the appropriate cases, of forty eight hours from the

time of their register and no later than ten days before the election day;

i) To count the district vote and validate the elections for federal representatives by the principle of relative majority and the district vote count for the election of proportional representatives as well;

j) To validate the counting for the of votes election of senators;

k) To count the vote for the election of President of the United Mexican States;

l) To address and resolve any appeals of revision, the Seventh Book of this Code;

m) Any other provisions per this Code.

CHAPTER FOURTH

The attributes of the Presidents of the District Councils

ARTICLE 117

1. The following correspond to the Presidents of the District Councils:

a) To convoke and conduct the sessions of the Council;

b) To receive the petitions of register of candidatures of deputies by the principle of relative majority;

c) To give an account, to the General Director of the Institute, of the corresponding vote counts, of the development of the elections, and of the filed appeals of

inconformidad, within the six days following the meeting dedicated to the vote count;

d) To deliver, to the Presidents of the poll boards, the documentation and necessary items, as well as to support them for the proper fulfillment of their functions;

e) To issue the majority certification and the validity of the election by the formula of candidates for federal representatives that have obtained the majority of votes in accordance to the vote count and declaration of validity by the District Council;

f) To inform about the results of the district vote counts by means of notices located on the outside of their offices;

g) To turn over the original and the certified copies of the file of the district counts related to the elections for deputies, senators, and President of the United Mexican States, in the terms stated in the Third Chapter of the Fourth Title of the Fifth Book;

h) To safeguard the documentation of the elections of relative majority representatives and proportional representation of senators and President of the United Mexican States, until the corresponding electoral process is concluded;

i) To receive and turn over the appeals of *revisión*, appeals of *apelación*, and appeals of *inconformidad*, which are filed against the acts or resolutions of the Council, in the terms of the Seventh Book of this Code;

j) To watch over the fulfillment of the resolutions dictated by the District Council and the rest of the proper electoral authorities; and

k) The rest that this Code confers to them.

2. The Presidents shall be assisted in their functions by the Secretaries of the Councils. The Secretaries shall have, under their responsibility, the hearing of the appeals of *revisión* which must be resolved by the Council.

3. The President of District Council shall convoke the sessions when it is deemed necessary or when it is requested by the majority of the representatives of the national political parties. The summons will be in writing.

FIFTH TITLE

The poll booths Board of Directors

ARTICLE 118

1. The poll boards are, by constitutional mandate, the electoral bodies, formed of citizens, empowered to receive the votes and to carry out the preliminary and revised vote counts in each of the electoral sections in which the 300 electoral districts are divided.

2. The poll boards, as electoral authority, have as their responsibility during the election day, to respect the freedom and the effectiveness of the vote and to make it be respected, to guarantee the secrecy of the vote and to assure the authenticity of the preliminary and revised vote count.

3. In each electoral section, a polling place shall be installed, in order to receive the votes, except in the cases stated in paragraphs 3,4, and 5 of article 192 of this Code.

ARTICLE 119

1. The poll boards are made up of a President, a Secretary, two vote counters and their respective alternates.

2. The Executive District Boards shall permanently carry out courses of civic education and electoral preparation, held for the citizens residing in their districts.

3. The Executive District Boards shall form the poll boards according to the procedure referred to in article 193 of this Code.

ARTICLE 120

1. In order to be a member of the poll board, it is required:

a) To be a citizen residing in the electoral section which contains the polling place;

b) To be enrolled in the Federal Register of Voters;

c) To have a Credential to Vote;

d) To be in exercise of his political rights;

e) To have an honest way of living;

f) To have participated in the course of electoral preparation given by the corresponding Executive District Board;

g) Not to be a public servant in a management position with a level of high power, and not to have any office of party management of any level of power; and

h) To know how to read and write and not to be older than 70 years on the day of the election.

CHAPTER FIRST

Their attributes

ARTICLE 121

1. The following are attributes of the members of the poll boards:

- a)** To open and to close the polling place, in the terms of this Code;
- b)** To receive the votes;
- c)** To carry out the preliminary and revised vote count;
- d)** To stay in the polling place from its opening until its closing; and
- e)** The rest conferred to them by this Code and related provisions.

ARTICLE 122

1. These are attributes of the Presidents of the poll boards:

- a)** As an electoral authority, to preside over the tasks of the poll board and to watch over the fulfillment of the provisions contained in this Code, during the development of the election day;
- b)** To receive from the District Councils the documentation, instruments, and the necessary items for the operation of the polling place, and to keep them, under their responsibility, until the opening of the polling place;
- c)** To identify the voters according to what is stated in paragraph 4, article 217 of this Code;

d) To maintain the order in the polling place and its surrounding area, and, if it is necessary, with the help of the public force;

e) To suspend, temporarily or definitely, the voting in case of a breach of the peace or when there are circumstances or conditions which impede the free act of voting, the secrecy of the vote, or any attempt against the personal security of the voters, the representatives of the political parties or the members of the poll board;

f) To dismiss from the polling place any person who breaches the peace, impedes the free act of voting, violates the secrecy of the vote, carries out acts which harm the authenticity of the preliminary and revised vote counts, or intimidates or exerts violence over the voters, the representatives of the political parties or the members of the poll board;

g) To practice, with the help of the Secretary and the vote counters, and before the present representatives of the political parties, the preliminary and revised vote count;

h) When the tasks for the polling place are finished, to timely turn over, to the District Council, the respective documentation and files, in the terms of article 238 of this Code; and

i) To put in a visible place outside the polling place, the results of the count of each of the elections.

ARTICLE 123

1. These are attributes of the Secretaries of the poll boards:

a) To make, during the election day, the records ordered by this Code and distribute them, in the terms established in this Code;

- b)** To count, immediately, before the beginning of the voting and before the present representatives of the political parties, the electoral ballots received and to annotate their number on the record for the opening of the polling place;
- c)** To verify that the name of the voter appears on the corresponding registration list;
- d)** To receive the notice of protest presented by the representatives of the political parties;
- e)** To nullify the rest of the electoral ballots according to what is stated in clause a) of paragraph 1 of article 229 of this Code; and
- f)** The rest conferred to them by this Code.

ARTICLE 124

1. These are attributes of the vote counters of the poll boards:

- a)** To count the number of ballots deposited in each ballot box, and the number of voters annotated on the voter registration list;
- b)** To count the number of votes issued in favor of each candidate, *fórmula*, or regional list; and
- c)** To assist the President or Secretary in the powers granted; and
- d)** Any other provisions per this code.

SIXTH TITLE

Common Provisions

ARTICLE 125

1. The members of the General Council, the Local and District Councils, and the citizens, who form part of the poll board, must submit an oath to honor and to have be honored the Political Constitution of the United Mexican States and the laws that emanate from it; they must fulfill the rules contained in this Code; and they must fulfill, loyally and patriotically, the functions assigned to them.

ARTICLE 126

1. The national political parties must certify their representatives before the Local and District Councils, at the latest, within the thirty days following the date of the opening session of the respective Council.

2. After this term, the political party which did not certify its representatives shall not form part of the respective Council during the electoral process.

3. The political party may substitute, at any time, their representatives in the Councils of the Institute.

ARTICLE 127

1. When the primary representative of a party, and if it is the case, the alternate, without a justified cause, do not attend, three consecutive times, the meetings of the Council of the Institute in which they are certified, the political party shall not form part of this Council during respective electoral process. At the first absence, the representative shall be requested to attend the sessions and the political party shall be given notice in order to require its representative to attend.

2. The District Councils shall inform, by writing, the Local Councils of each absence, so at the same time, the Local Council shall inform the General Council of the Institute with the purpose to notify that fact to the representatives of the political parties.

3. The resolution of the corresponding Council shall be notified to the respective political party.

ARTICLE 128

1. The bodies of the Institute shall issue, by request of the representatives of the national political parties, certified copies of the minutes of the meetings which are held.

2. The Secretary of the corresponding body shall collect the receipt of the certified copies issued according this article.

ARTICLE 129

1. The meetings of the Councils of the Institute shall be public.

2. Those who attend must keep the appropriate order in the place where the meetings are held.

3. In order to guarantee the order, the Presidents shall take the following measures:

a) The exhortation to keep the order;

b) The warning to leave the premises; and

c) To request the help of the public force to reestablish the order and to expel those who breach it.

ARTICLE 130

1. Only the *consejeros* and representatives of the political parties shall direct the meetings of the Councils and only they shall participate in the deliberations.

ARTICLE 131

1. The federal, state, and municipal authorities are obligated to supply, to the bodies of the Institute and under the request of the respective Presidents, the necessary reports, records, and help of the public force in order to fulfill their functions and resolutions.

ARTICLE 132

1. The electoral functionaries and the representatives of the national political parties properly accredited before the bodies of the Institute, shall enjoy the use of the postal and telegraphic privileges and the discounts in the transport tariffs granted to the official branches, according to what the General Director of the Institute decides.

2. By request of the delegates of the political parties before the General, Local and District Councils, certified affidavits of their respective proceedings shall be issued no longer than five days after having been approved. The Secretaries of the Councils shall be accountable for failure to apply of this provision.

ARTICLE 133

1. The Local and District Councils, within the following twenty-four hours from their installation, shall send a copy of the respective minutes to the General Director of the Institute, in order to give an account to the General Council.

2. The District Council shall also send a copy of the minutes to the President of the Local Council of the corresponding state.

3. The Councils shall proceed in the same manner in the following sessions.

ARTICLE 134

1. The Local and District Councils shall determine their work schedule, taking into account that, in electoral matters, every day may be a work day.

2. The schedules determined shall be informed to the General Director of the Institute in order to give an account to the General Council of the Institute, and to the respective President of the Local Council, and to the national political parties which have certified their representatives before the General Council.

FOURTH BOOK

The special procedures in the Executive Directions

FIRST TITLE

The procedures for the Federal Register of Voters Preliminary Provisions

ARTICLE 135

- 1.** The Federal Electoral Institute shall provide, by means of the proper Executive Directive Board and its delegationships in the Executive Local and District Boards, the services inherent to the Federal Register of Voters.
- 2.** The Federal Register of Voters has a permanent and public interest character. Its purpose is to fulfill what is stated in the 41st Constitutional article regarding the Electoral Census.
- 3.** The documents, facts and reports submitted by the citizens to the Federal Register of Voters, pursuant to the duties conferred upon them by the Constitution and this

Code, shall be strictly confidential and cannot be divulged or made public, except when they are requested in the course of judicial actions, appeals or procedures in which the Federal Electoral Institute is a party, or to perform the electoral duties contemplated in this Code or to comply with the Population General Act as referred to the National Register of Citizens or by competent court's subpoena.

4. The members of the General, Local and District Councils as well as the Watch Commissions shall have access to the information that makes up the electoral poll, only for the development of their powers, and they may not give or divulge it for another purpose other than to verify the electoral poll and nominal voters lists.

ARTICLE 136

1. The Federal Register of Voters is made up of the following sections:

- a) The General Catalogue of Voters;
- b) The Electoral Poll Board.

ARTICLE 137

1. The General Catalogue of Voters contains the basic information of the men and women older than eighteen years old, obtained through the total census technique.

2. The Electoral Census shall contain the names of the citizens registered in the General Catalogue of Voters and who have presented the request referred to in the first paragraph of article 143 of this Code.

ARTICLE 138

1. The two sections of the Federal Register of Voters shall be formed by means of the following actions:

- a) The applications of the total or partial census technique;
- b) The direct and personal enrollment of the citizens; and
- c) The incorporation of the data given by the appropriate authority related to the death or authorization, disability, or restoration of the political rights of the citizens.

ARTICLE 139

1. The citizens are obligated to enroll themselves in the Federal Register of Voters.
2. Likewise, the citizens shall participate in the formation and update of the General Catalogue of Voters and the Electoral Census, in the terms of the corresponding regulatory norms.

ARTICLE 140

1. The Federal Electoral Institute must include the citizens in the sections of the Federal Register of Voters and issue to them the Credential to Vote.
2. The Credential to Vote is the indispensable document for the citizens to be able to exercise their right to vote.

CHAPTER FIRST

The General Catalogue of Voters

ARTICLE 141

1. According to what is stated in the 53rd Constitutional article, when a new territorial demarcation of the 300 *uninominal* electoral districts is established, based on the

last General Census of Population, the General Council of the Institute, with the purpose to have a General Catalogue of Voters from which an integral, authentic, and trustworthy Electoral Census will be derived, may order, if necessary, the Executive Directive Boards of the Federal Register of Voters to apply the census technique in the whole country.

2. The census technique is the procedure done by the means of home by home interviews, in order to obtain the basic information of the Mexicans older than eighteen years of age, and which contains:

- a)** The father's last name, the mother's last name, and full name;
- b)** Place and date of birth;
- c)** Age and sex;
- d)** Present domicile and period of residence;
- e)** Occupation; and
- f)** If it is the case, the number and date of the certificate of naturalization.

3. Moreover the basic information shall contain, the State, municipality, location, uninominal electoral district and the electoral section that corresponds to the domicile, as well as the date in which the visit was conducted and the name and signature of the interviewer. In all cases a major geographical of specifications domicile shall be made clear.

4. Upon concluding the application of the total census technique, the Executive Directive Board of the Federal Register of Voters shall verify that no duplicates exist in the General Catalogue, for the purpose to assure that each voter appears registered only one time.

5. The General Catalogue of Voters, formed by the basic obtained information, shall operate in the terms of the following Chapter.

CHAPTER SECOND

Formation of the Electoral Poll Board

ARTICLE 142

1. Based on the General Catalogue of Voters, the Executive Directive Board of the Federal Register of Voters shall proceed to form the Electoral Census and the issue of the Credentials to Vote.

ARTICLE 143

1. For the inclusion into the electoral poll, an individual application is required which shall contain the signature, fingerprint and photograph of the citizen, pursuant to article 148 of this Code.

2. Based upon the application referred to in the last paragraph, the Executive Direction of the Federal Register of Voters shall issue the respecting credential to vote.

ARTICLE 144

1. Citizens shall attend the offices or booths determined by the Federal Electoral Institute to obtain their pictured voting card.

2. To obtain the pictured themselves by credential to vote the citizen must to identify themselves by the means or procedures established by the National Commission of Oversight of the Federal Register of Voters.

3. In all cases, upon receiving his or her credential the voter must sign it and press his or her fingerprint, showing beforehand the proper identification.

4. The delivery certification and the reference to the said identification shall be kept together.

5. Any unused credential forms that shall be properly listed and deposited in a secured place until the end of the corresponding election day. The Executive Direction of the Federal Register of Voters per the procedure that the General Council agrees upon, shall take the measures for its enforcement by the Local and District Delegates who may be accompanied by the members of the competent Commission of Oversight to verify that such procedure be performed.

6. The offices of the Federal Register of Voters shall verify that the names of the citizens who did not obtain their pictured voting card and do not appear in the nominal lists of voters.

ARTICLE 145

1. Once the end of the procedure, which is referred to in the previous article, is arrived at, the voter registration lists of the Electoral Census shall be formed with the names of those who have been delivered their Credential to Vote.

2. The lists shall be made up of districts and by electoral sections.

3. The previously stated lists shall be put at the disposition of the political parties for their review and, if need be, to formulate their observations deemed pertinent.

4. The Executive Directive Board of the Federal Register of Voters shall provide whatever is necessary in order that

the lists are set up for the knowledge of the citizen in each district.

CHAPTER THIRD

The updating of the General Catalogue of Voters and of the Electoral Poll Board

ARTICLE 146

1. For the purpose of updating the General Catalog of Voters and the Electoral Poll, the Federal Electoral Institute, through the Executive Direction of the the Federal Register of Voters, shall perform annually from November 1st to following January 15th (**January 1st to February 28, 1994, in terms of Section II of eighth transitory article ; D.O. 24-IX-93**), an intense campaign to call for and to guide the citizenry in their compliance of the duties referred to in the following two paragraphs:

2. During the period of updating, all those citizens must go before the offices of the Executive Directive Board of the Federal Register of Voters, in the places determined by it, in order to be incorporated in the General Catalogue of Voters:

a) Who have not been incorporated during the application of the total census technique; and

b) Who have obtained citizenship by reaching the age of majority after the application of the total census technique.

3. During the period of updating, those citizens incorporated in the General Catalogue of Voters and the Electoral Census must, also, go to the offices of the Executive Directive Board, who:

- a) Have not notified their change of domicile;
 - b) Are incorporated in the General Catalogue of Voters, but are not registered in the Electoral Census;
 - c) Have lost their Credential to Vote; and
 - d) Have been rehabilitated from the suspension of their political rights.
4. When the citizens voluntarily go to add themselves or to give notice of their change of domicile to the General Catalogue of Voters, or when they are required to do so by the personnel of the Federal Electoral Institute during the application of the census technique, they have the obligation to indicate the domicile in which they have been previously registered, and if need be, to sign, and to place their fingerprint and photograph on those documents for the respective updating.
5. The national political parties and the communication mediums may cooperate with the Institute in the duties of citizen orientation.

ARTICLE 147

1. The citizens may request their incorporation into the General Catalogue of Voters, or if need be, their enrollment in the Electoral Poll, in different periods from those for updating which are referred in the aforementioned article, from the following day to the election and until the January 15th of the ordinary federal election day (**February 28, 1994, per the Section III, eighth transitory article ; D.O. 24-IX-93**).

2. The Mexicans, who in the year of the election become eighteen years of age between January 16th (**March 1, 1994, in terms of the Section IV, eighth transitory article; D.O. 24-IX-93**) and the day of the election (**August 21, 1994; in terms of the Section IV, eighth**

transitory article ; D.O. 24-IX-93), shall request their register no later than the 15th of day of the mentioned month of January (**February 28, 1994, 24-IX-93**).

ARTICLE 148

1. The request of incorporation to the General Catalogue of Voters may be used for the enrollment of the citizens in the Electoral Census; it shall be done on individual forms, which shall establish the following facts:

a) Father's last name, mother's last name, and full name;

b) Place and date of birth;

c) Age and sex;

d) Present domicile and period of residence;

e) Occupation;

f) If relevant, the number and date of the certificate of naturalization; and

g) Signature and, if need be, fingerprint and photograph of the petitioner.

2. The entrusted personnel for the enrollment shall establish on the form, to which the previous paragraph refers, the following facts:

a) State, municipality, and city where the enrollment is made;

b) Federal electoral district and the electoral section corresponding to the domicile; and

c) Date of the request for enrollment.

3. The citizen who requests his enrollment, in the terms of this article, shall be granted a receipt of his petition with its number; he will return the receipt, the moment he receives or picks up his Credential to Vote.

ARTICLE 149

1. The resident Mexican citizens in the national territory, who are not physically capable to assist in enrolling themselves before the offices of the Executive Directive Board of the Federal Register of Voters corresponding to their domicile, must request their enrollment in writing, accompanied with the documentation which certifies their incapacity. In this case, the Executive Directive Board shall dictate the appropriate measures for the granting of the Credential to Vote for the physically impeded voter.

ARTICLE 150

1. It is the obligation of the citizens, enrolled in the Electoral Census, to give notice of their change of domicile before the office of the Federal Electoral Institute closest to their new domicile.

2. In the event in which a citizen requests his or her change of domicile, he shall exhibit and render the pictured credential to vote printed with the prior domicile or give the identification to identify it in case of loss, for proceeding to cancel that register and include it into the appropriate list of its current domicile and issue his or her new pictured credential to vote. The former credentials shall be immediately destroyed.

ARTICLE 151

1. The pictured credential to vote or the correction before the office of the competent Federal Electoral Institute, it may be requested the issuance by those citizens that:

a) Having fulfilled the requirements and corresponding procedures, but have not having received their credential to vote in time;

b) Having obtained their pictured credential to vote, they did not appear in the nominal list of voters in the corresponding section of their domicile; or

c) Considered to have been unduly included or excluded from the nominal list of voters of the corresponding section of their domicile.

2. In the cases referred to in the previous paragraph, the request of issuance or of correction shall be submitted at any time within the two preceding years of the electoral process.

3. During the election year, the citizens under the circumstance referred in the clause a), paragraph 1 of this article, may submit their request of issuance of the pictured credential to vote until February 15th (**February 28, 1994; in terms of the Section V, eighth transitory article ; D.O. 24-IX-93**). In the cases stated in the clauses b) and c) of the mentioned paragraph, the citizens may submit their request for correction no later than March 15th (**May 1st, 1994; per Section V, eighth transitory article; D.O. 24-IX-93**).

4. The Offices of the Federal Register of Voters shall have the required citizens formats for the submission of the respective request.

5. The office, before which the issuance of the credential or the correction has been requested, shall resolve the admission or not of the same within twenty days.

6. The resolution consisting of disallowing the request of issuance of the credential or its correction, or the lack of answering in time, shall be subject to appeal before the Federal Electoral Tribunal. For that purpose, the affected

citizens shall have at their disposition at the Offices a request to the Federal Register of Voters for the required formats for filing the corresponding appeal.

7. The citizen shall be notified personally if he or she appears before the competent Office of Register or, in the case, by telegram or by certified mail the resolution dictated over the request of issuance of credentials or its correction.

ARTICLE 152

1. The Executive Directive Board of the Federal Register of Voters may utilize the partial census technique in districts or sections, or parts of them, in those cases in which the Executive General Board decides, for the purpose to keep the General Catalogue of Voters and the Electoral Census up to date.

2. The partial census technique shall have, for its purpose, to obtain the basic information of the citizens not included in the General Catalogue of Voters or, if need be, to verify the facts contained in it, by means of house to house interviews.

ARTICLE 153

1. The Commissions of Vigilance may request that the Executive Directive Board of the Federal Register of Voters or the Executive District and Local Boards, whichever corresponds, to submit, for the consideration of the Executive General Board, the decision to apply the partial census to a section or electoral district.

ARTICLE 154

1. The pictured credentials to vote issued, according to what is established in the present Chapter, shall be available for those interested until February 15th of the elec-

tion year (**July 17, 1994; in terms of Section VI, eighth transitory article; D.O. 24-IX-93**).

CHAPTER FOURTH

The voters nominal list and its review

ARTICLE 155

1. The voter registration lists are the lists created by the Executive Directive Board of the Federal Register of Voters which contain the names of the persons included in the Electoral Census, grouped by district and section, and to whom have been issued and granted their Credential to Vote.

2. The electoral section is the territorial part of the *uninominal* electoral district for the enrollment of the citizens in the Electoral Census and on the voter registration lists.

3. Each section shall have, as a minimum, 50 voters, and as a maximum, 1,500.

4. The dividing into electoral sections shall be subject to the review of the division of the national territory into electoral districts, in the terms of article 53 of the Constitution.

ARTICLE 156

1. The Executive Direction of the Federal Register of Voters, by means of the Executive Local Boards, shall deliver to the District Boards the nominal lists of voters in order to be distributed, no later than February 15th (**April 1, 1994; per Section VII, eighth transitory article ; D.O. 24-IX-93**), to the corresponding municipal offices, to be exhibited for twenty calendar days.

2. The exhibition of the voter registration lists, grouped in alphabetical order and by sections, shall take place in each municipal office and posted in a public place.

3. In the Federal District, the lists shall be exhibited by being posted on the entrance of the offices of the Executive District Boards, as well as in the public places that are determined for that purpose and which shall be timely indicated.

4. The voter registration lists that are given to the political parties shall be for their exclusive use and may not be assigned for a different goal or purpose other than the review of the Electoral Census. When a political party does not wish to keep the lists, it must return them to the Federal Electoral Institute.

ARTICLE 157

1. Once the pertinent comments are received and certified, the municipal offices shall return the nominal lists to the Executive District Boards, and in no case may they be delivered later than March 20th of each year (**May 5, 1994; in terms of the Section VIII, eighth transitory article; D.O. 24-IX-93**).

2. The Executive District Boards shall send the nominal lists to the corresponding Local Board, no later than March 24 (**May 9, 1994; in terms of the section IX, eighth transitory article; D.O. 24-IX-93**).

3. The comments shall be made for the lists of the Electoral Census and the corresponding modifications shall be made.

ARTICLE 158

1. The political parties shall have at their disposition, for their review, the nominal lists of voters in the Offices of

the Executive Direction of the Federal Register of Voters within thirty calendar days beginning February 15th of each of the two years preceding the election year.

2. The political parties may formulate, by writing to the Executive Directive Board, their comments about the improperly enrolled or excluded citizens on the lists, during the period stated in the previous paragraph.

3. The Executive Directive Board shall examine the comments of the political parties, making, if necessary, the modifications which are in accordance with the law.

4. The previous modifications shall be taken into account by the National Commission of Oversight, no later than April 30th.

5. The political parties may appeal before the Central Chamber of the Federal Electoral Tribunal the report referred to in the aforementioned paragraph. In the appeal the observations mentioned in paragraph 2 of this article shall be proven were made within the required rules and in the time prescribed, highlighting the concrete facts and individual cases on which the observations were based. If the appeal does not fulfill these requirements, besides those established in this Code, it shall be deemed irrelevant admitted and therefore denied . The appeal shall be filed before the General Council within the following three days of the report made public to the political parties.

ARTICLE 159

1. On February 15th of the year in which the ordinary electoral process is held (**April 1, 1994; per Section X, eighth transitory article; D.O. 24-IX-93**), the Executive Direction of the Federal Register of Voters shall deliver to each one of the national political parties, a copy of the nominal lists of voters, ordered alphabetically and by sections corresponding to each one of the electoral districts, the list shall contain all the voters who have their pic-

tered credential to vote by January 15th of the election year (**February 28, 1994; in terms of the Section X, eighth transitory article; D.O. 24-IX-93**). The nominal lists of the citizens that had obtained their credential between January 16th and February 15th (**February 28, 1994; in terms of the Section X, eighth transitory article; D.O. 24-IX-93**), in the terms established by article 154 of this Code, shall be delivered to the political parties no later than the last day of the same month of February corresponding to the election year (**April 1, 1994; per Section X, eighth transitory article; D.O. 24-IX-93**).

2. The political parties may add observations to the lists, referring to concrete facts and individual cases, within thirty days of the reception of such lists.

3. From the observations made by the political parties, the corresponding modifications shall be made reported to the General Council and to the National Commission of Oversight no later than April 30th (**May 15, 1994; per Section XI, eighth transitory article; D.O. 24-IX-93**).

4. The political parties may paragraph before the Central Chamber of the Federal Electoral Tribunal, an appeal of the report mentioned in the last per paragraph 5, article 158.

5. If the report is not appealed or, if the case be, once the Tribunal has resolved the appeals, the General Council of the Institute shall meet to declare that Electoral Poll and the nominal lists of voters are valid and definite.

ARTICLE 160

1. The political parties shall have, in the National Commission of Oversight, computer terminals which allow them access to the information contained in the electoral poll and in the nominal lists of voters. Likewise and according

to the technical capacities, the political parties must be guaranteed permanent access to the data base, figure base, documents source, and fluctuations of the electoral poll.

2. In the same way, the Executive Director of the Federal Register of Voters shall establish state centers for consultation of the Electoral Poll to be used by the delegates of the political parties before the local commissions of oversight and shall establish furthermore, mechanisms for consultation in the district offices of the same Register, to which any citizen may have access to verify whether or not he is registered in the Electoral Poll and duly included within the corresponding nominal list of voters.

ARTICLE 161

1. The Executive Directive Board of the Federal Register of Voters, once the procedures are concluded which are referred to in the previous articles, shall order the printing of the voter registration lists by district and by electoral section. This shall be done for their delivery to the Local Councils, at least, 30 days before the day of the election, so that they may be distributed to the District Councils and through these to the poll boards, in the terms stated by this Code.

ARTICLE 162

1. For the purpose to permanently keep the General Catalogue of Voters and the Electoral Census up-to-date, the Executive Directive Board of the Federal Register of Voters shall get, from the bodies of the federal and state public administrations, the necessary information in order to register all the changes which affect them.

2. The public servants of the Civil Register must inform the Federal Electoral Institute about the deaths of citizens, within ten days following the date of the issuance of the respective certificate.

3. The judges, who issue resolutions which decree the suspension or loss of political rights or the declaration of absence or presumption of death of a citizen, must notify this to the Federal Electoral Institute, within the ten days following the date of the respective resolution.

4. The Ministry of Foreign Affairs must give notice to the Federal Electoral Institute within the ten days following the date in which:

a) It issues or cancels naturalization cards;

b) It issues certificates of nationality;

c) It receives renunciations of nationality.

5. The authorities, stated in the previous paragraphs, must send the respective information on the forms which for that purpose shall be supplied by the Federal Electoral Institute.

6. The General Director of the Institute may hold pacts of cooperation which tend to timely supply the information that this article refers to.

ARTICLE 163

1. The applications for register filed by citizens who do not obtain, from the corresponding office or booth of the Federal Electoral Institute of their domicile, the pictured credential to vote no later than September 30th (**November 30th, 1994; per paragraph first, eighth transitory article; D.O. 24-IX-93**) of the following year to which they apply for their register in the Electoral Poll, and therefore shall be cancelled.

2. In the case mentioned in the previous paragraph, the Executive Direction of the Federal Register of Voters shall make lists containing the names of the citizens whose applications had been cancelled, presenting them by elec-

toral section, alphabetically, to be delivered to the delegates of the political parties certified before the District, Local and National Commissions of Oversight, corresponding accordingly, no later than October 31th (**December 31, 1993; in terms of the clause a) of tenth transitory article; D.O. 24-IX-93**) per their observations and information.

3. Such lists shall be exhibited between November 1st of the previous year to the election (**January 1, 1994; in terms of the clause b) tenth transitory article; D.O. 24-IX-93**) until January 15th following (**February 28, 1994; in terms of the clause b), tenth transitory article; D.O. 24-IX-93**), in the offices or booths of the Federal Electoral Institute and in public places of the electoral sections previously determined the District Commissions of Oversight, with the purpose of publishing the notice by substituted service, affecting to the interested citizens who therefore may have the opportunity to apply again for their registration in the Electoral Poll within the term for the intense campaign referred to in paragraph 1, article 146 of this Code or, if the case be, to file the appeal established in paragraph 6, article 151 of this same Code.

4. The application forms of the credentials filed by the citizens whose applications had been cancelled in the terms of the aforementioned paragraphs shall be destroyed before the corresponding Oversight, Commissions, no later than January 15th of every year (**February 28, 1994; in terms of the clause c) tenth transitory article; D.O. 24-IX-93**).

5. In all events, the citizens whose application of register in the Electoral Poll had been cancelled by omission of obtaining their pictured credential to vote in the terms stated in the aforementioned paragraphs, may apply again to register for the Electoral Poll in the terms and periods established in articles 143, 146 and 147 of this Code.

6. The formats of the credentials filed by the citizens who applied for their register to the Electoral Poll or made any updated application of within the last year before election had failed to retrieve them in the time shall be safely kept per paragraph 5, article 144 of this Code.

7. Likewise, the Executive Direction of the Federal Register of Voters shall cancel, from the Electoral Poll, the citizens who notified it of their change of domicile through notice with their signature, fingerprint and, if the case be, photograph. In this event, the cancellation shall apply only for the former domicile. In the same way, the citizens who had died shall be excluded from the Poll, whenever the proper documentation of their death, issued by the competent authorities, is shown. In the case of persons stripped of their political rights, the judicial resolution must be shown.

8. The corresponding documentation to the cancellation of applications and to the inclusions and exclusions of citizens in the Electoral Poll shall remain under the authority of the Executive Direction of the Federal Register of Voters and their Delegated offices.

CHAPTER FIFTH

The Credential to Vote

ARTICLE 164

1. The Credential to Vote must contain, at least, the following information about the voter:

a) State, municipality, and city corresponding to the domicile;

b) *Uninominal* electoral district and electoral section where he must vote;

- c) Father's last name, mother's last name, and full name;
- d) Domicile;
- e) Sex;
- f) Age and year of register; and
- g) Code of register.

2. Moreover, it will have:

- a) Place to put the signature, fingerprint, and photograph of the voter;
- b) Necessary spaces to mark the corresponding year and election; and
- c) Stamped signature of the General Director of the Federal Electoral Institute.

3. No later than April 30th of the election year (**May 15, 1994; in terms of the Section XII, eighth transitory article; D.O. 18-V-94**), the citizens whose pictured credential to vote were lost or damaged, shall reapply before the Federal Register of Voters, in their place of domicile.

CHAPTER SIXTH

The Commissions of Vigilance

ARTICLE 165

1. The Commissions of Vigilance shall be formed by:

- a) The Executive Director of the Federal Register of Voters or, if need be, the corresponding Directors of the Execu-

tive Local or District Boards, who shall function as Presidents of the respective Commissions;

b) A primary and alternate representative for each one of the national political parties; and

c) A Secretary designated by the respective President, from among the members of the Professional Electoral Service with functions in the area of register.

2. The National Commission of Vigilance, moreover, shall have the participation of a representative of the National Institute of Statistics, Geography, and Data.

3. The political parties must timely certify their representatives before the respective Commissions of Vigilance, and who may be substituted at any time.

ARTICLE 166

1. The Commissions of Vigilance have the following attributes:

a) To watch over the enrollment of the citizens in the Electoral Census and on the voter registration lists, as well as their update, are carried out in the terms established in this Code;

b) To make sure that the Credentials to Vote are timely delivered to the citizens;

c) To receive, from the political parties, the comments which they formulate in regards to the voter registration lists;

d) To assist in the annual update campaign of the Electoral Census; and

e) The rest that this Code confers to them.

2. The National Commission of Vigilance shall be aware of the works that the Executive Directive Board of the Federal Register of Voters carries out in regards to territorial demarcation.

3. The Commissions of Vigilance shall meet, no less than, once a month.

4. For each meeting, minutes shall be written up which must be signed by those attending. The disagreements, if there are any, shall be established on the minutes, of which a copy shall be handed over to those who attended the meeting.

SECOND TITLE

The bases for the organization of the Professional Electoral Service

Preliminary Provisions

ARTICLE 167

1. With foundation in article 41 of the Constitution and in order to ensure the professional discharge of the activities of the Federal Electoral Institute, the Professional Electoral Service shall be organized and developed by the proper Executive Directive Board.

2. The objectivity and impartiality, which, in the terms of the Constitution, guide the state operation of organizing the elections, shall be the principles for the formation of the members of the Professional Electoral Service.

3. The organization of the Professional Electoral Service shall be regulated by the norms established in this Code and by those of the Statute which the Chief Executive of the Federal Executive Branch issues.

4. The Executive General Board shall create the draft Statute, which shall be submitted to the General Council, through its President, for its approval. The draft Statute, sanctioned by the General Council, shall be sent, through its President, for the consideration of the Chief Executive of the Federal Executive Branch for its approval and issuance.

5. The Statute shall develop, define, and regulate the normative bases contained in this Title.

CHAPTER FIRST

The Professional Electoral Service

ARTICLE 168

1. The Professional Electoral Service shall be formed by the Corps of Directive Operation and the Corps of Technicians.

2. The Corps of Directive Operation shall provide the personnel to cover the offices of the Federal Electoral Institute with attributes of management, authority, and supervision.

3. The Corps of Technicians shall provide the personnel to fulfill the positions of the Federal Electoral Institute who will carry out specialized activities.

4. The two Corps, which this article refers to, shall be structured by their own levels or ranks, differentiated from the offices and positions of the internal structure of the Institute. The levels or ranks shall allow for the promotion of the title members of the Corps. The title members shall eventually become the permanent members of the Service; In this way they will be able to collaborate with

the Institute, as a whole, and not exclusively with a particular office or position of the Institute.

5. The acceptance to the Corps shall proceed when the applicant certifies the personal and academic requisites and requirement of good reputation, which are all stated in the Statute and, moreover, that he has complied with the corresponding courses of formation and preparation and performs the corresponding practices in the bodies of the Institute. Likewise, an examination or drawing may be ways of access to the Corps, according to what is stated in the statutory norms.

6. The Corps of Directive Operation shall provide its ranks or levels to the functionaries who will fulfill the offices for the Executive Boards, established by this Code, in the following terms:

- a)** In the Executive General Board, the offices immediately inferior to the Executive Director;
- b)** In the Executive Local and District Boards, the offices of delegationships and executive delegationships; and
- c)** The remaining offices that are determined in the Statute.

CHAPTER SECOND

The Statute of the Professional Electoral Service

ARTICLE 169

1. The Statute must establish the norms for:

- a)** Defining the levels or ranks of each Corps and the offices or positions which they provide;

b) Creating the General Catalogue of Offices and Positions of the Federal Electoral Institute.

c) The recruitment and selection of the functionaries and technicians who will be admitted to the Corps;

d) Granting the title of office in a level or rank of a branch of the Corps, and for the appointment to an office or position;

e) The professional formation and preparation and the methods for the evaluation of its efficiency;

f) The systems of promotion, transfers to offices or positions, and for the application of administrative or removal sanctions. The promotions shall be granted according to the bases of merit and performance;

g) The hiring of temporary personnel; and

h) The rest necessary for the organization and good operation of the Federal Electoral Institute.

2. The General Director of the Institute must hold meetings with academic institutions and institutions of higher education in order to impart courses of formation, preparation, and updating for applicants and title members of the Professional Electoral Service.

CHAPTER THIRD

Supplementary Provisions

ARTICLE 170

1. In the Statute there shall be established, besides the norms for the organization of the Corps of the Professional Electoral Service which are referred to in article

168 of this Code, those norms related to branches of administrative employees and of auxiliary workers.

2. The Statute shall establish the norms for their composition, promotions, transfers, administrative sanctions and the rest of the working conditions.

ARTICLE 171

1. For the nature of the state operation that has been entrusted to the Federal Electoral Institute, all its personnel shall have loyalty to the Constitution, the laws, and to the Institution, over any particular interest.

ARTICLE 172

1. The personnel, which form the Corps of the Professional Electoral Service and the administrative branches of the Institute, shall be considered to have positions of management and shall be subject to what is established in section XIV, clause B, of article 123 of the Constitution.

2. The personnel of the Federal Electoral Institute shall be incorporated into the system of the Institute of Security and Social Services of the Workers of the State.

FIFTH BOOK

The electoral process

FIRST TITLE

Preliminary Provisions

ARTICLE 173

1. The electoral process is the whole of the acts ordered by the Constitution and this Code, carried out by the electoral authorities, the national political parties, and the citizens. It has as its purpose, the periodic renovation of the members of the Executive and Legislative Branches of the Union.

2. Previous to the beginning of the electoral process, the General Council of the Institute shall determine the territorial scope of each one of the five *plurinominal* circumscriptions, the number of deputies by the principle of proportional representation which must be elected in each one of them, as well as the territorial demarcation which is referred to in article 53 of the Constitution.

ARTICLE 174

1. The ordinary electoral process begins in November of the year before to the election (**January, 1994; per the first paragraph, eighth transitory article; D.O. 24-IX-93**) and concludes with the qualification of the election for President of the United Mexican States.

2. By the effects of this Code, the ordinary electoral process contains the following stages:

a) The preparation of the election;

b) The election day;

c) Results and declarations of validity of the elections; and

d) The qualification of the election of the President of the United Mexican States.

3. The stage of preparation of the election begins with the first session held by the General Council of the Institute during the first week of November of the year before the ordinary federal elections (**first week of January, 1994; in terms of the first paragraph, eighth transitory article; D.O. 24-IX-93**) and concludes on election day.

4. The stage of the election day begins at 8:00 a.m. on the first Sunday of July (**third Sunday or August 21, 1994; in terms of the Section XIII, eighth transitory article; D.O. 24-IX-93**), closes and ends when the polling place.

5. The stage of results and of declarations of validity of the elections begins with sending the electoral documentation and files to the District Councils, and concludes with the vote counts and declarations made by the Councils of the Institute, or the resolutions of last resort issued by the the Federal Electoral Tribunal, as the case may be.

6. The qualification of the election of the President of the United Mexican States begins with the installation of the Electoral College of the House of Representatives and concludes whenever the House declares the validity of the election.

7. Regarding the principle of definite resolutions which rules the electoral processes, at the conclusion of any of the stages or of any of the important acts or activities of the electoral bodies, the General Director or the Executive Delegate either of the Local or District Board of the Institute, according to their jurisdiction, may divulge the developments and conclusions through the means they deem proper.

SECOND TITLE

Preparatory acts of the election

CHAPTER FIRST

The procedure for register of candidates

ARTICLE 175

1. Corresponding, exclusively, to the national political parties is the right to request the register for candidates to offices of popular election.

2. The candidacies for federal representatives to be elected by the principle of relative majority and by the principle of proportional representation, as well as those for senators, shall be registered by formulas of candidates, each one consisting of a primary and an alternate candidate and shall be considered formulas as well as candidates separately, except for the voting consequences.

3. The political parties shall promote, according to their internal statutes, a major participation of women in the political life of the country, through their nomination to offices of popular election.

ARTICLE 176

1. For the register of candidacies to all offices of popular election, the nominating political party must present and obtain the register of the electoral platform that its candidates will support during the political campaigns.

2. The electoral platform shall be presented for its registration before the General Council, within the first fifteen days of January in the election year (**last ten days of the month of February, 1994; in terms of Section XIV, eighth transitory article; D.O. 24-IX-93**). A certificate of registration shall, then, be issued.

ARTICLE 177

1. The following are the periods and the proper bodies for the register of the candidacies in the year of the elections:

a) For federal representatives elected by the principle of relative majority, from April 1st to the 15th, inclusive, (**May 15th to 31th, inclusive, 1994; in terms of clause a), Section XV, eighth transitory article; D.O. 24-IX-93**), by the District Councils;

b) For federal representatives elected by the principle of proportional representation, from April 15th to the 30th inclusive (**June 1st to the 15th inclusive, 1994 ; in terms of the clause b), Section XV, eighth transitory article; D.O. 24-IX-93**) by the General Council;

c) For senators, from March 15th to the 30th inclusive, (**May 1st to the 15th inclusive, 1994; in terms of the clause c) Section XV, eighth transitory article; D. O. 24-IX-93**), by the corresponding Local Councils; and

d) For President of the United Mexican States, from January 15th to the 30th inclusive (**March 1st to the 15th inclusive, 1994; in terms of the clause d), Section XV, eighth transitory article; D.O. 24-IX-93**), by the General Council.

2. The Federal Electoral Institute shall give wide publication to the opening of the register of the candidacies and the periods referred to in the present Chapter.

ARTICLE 178

1. The petition of register of candidacies must indicate the political party or coalition, which nominates it, and the following data of the candidates:

- a)** Father's last name, mother's last name, and full name;
- b)** Place and date of birth;
- c)** Domicile and period of residence;
- d)** Occupation;
- e)** Code of the Credential to Vote; and
- f)** The office which they are nominated for.

2. The petition must be joined, also, by the declaration of acceptance by the candidate, the copy of his birth certificate and the Credential to Vote, and, if need be, the proof of residence of the primary and alternate candidates.

3. The nominating political party, also, must express, in writing, that the candidates, whose register it requests, were elected in agreement with the statutory rules of the political party.

4. The application of every political party register the complete lists of candidates for federal representatives by the

principle of proportional representation for the five plurinominal circumscriptions, shall be filed, with the documents referred to in the aforementioned paragraphs, and, moreover, with the certificates of register from at least 200 candidacies for federal representatives by the principle of relative majority.

5. For the register of candidates of a coalition, it shall be acknowledged that the rules established from Articles 59 to 62 of this Code have been applied, per to the type of election.

ARTICLE 179

1. When a petition of register of candidacies is received by the corresponding President or Secretary of the Council, it shall be certified within the three following days, that all the requirements stated in the previous article are fulfilled.

2. If it is noticed in the certification, which has been done, that one or more requirements were not fulfilled, the corresponding political party shall be immediately notified, so that within the following 48 hours it shall remedy the requirement or requirements omitted or shall substitute the candidacy, but just as long as this can be done within the periods referred to in article 177 of this Code.

3. Any petition or documentation presented outside of the time periods referred to in article 177 shall be rejected and, if it is the case, the candidacy or candidacies which do not meet the requirements shall not be registered.

4. Within the next three days after the periods established in article 177, the General, Local and District Councils shall meet for the only purpose to register the resulting candidacies.

5. The Local and District Councils shall, immediately, inform the General Council about the agreement related to the register for candidacies, which has been done during the meeting referred to in the previous paragraph.

6. Likewise, the General Council shall immediately inform the Local and District Councils about the decisions taken regarding the register of the lists of candidates for the principle of proportional representation.

7. At the adjournment of the Session referred to in paragraph 4, of this article, the General Director or the Executive Delegates, Local or District levels accordingly, shall take the proper measures to make public the conclusion of the register of candidacies, giving public notice of the names of the candidate or registered formulas and from those that did not fulfill the requirements.

ARTICLE 180

1. The General Council shall timely request the publication, in the Official Journal of the Federation, of the list of the names of the candidates and the parties or coalitions which nominate them.

2. Likewise, the cancellations of register or the substitutions of candidates shall be published and broadcast.

ARTICLE 181

1. In order to substitute candidates, the political parties shall request it, in writing, to the General Council, and shall observe the following provisions:

a) Within the term established for the register of candidates, they may freely substitute them;

b) When the term referred to in the previous clause expires, they may substitute the candidates, only, on ac-

count of death, disqualification, incapacity, or resignation. In the last case, the candidates may not be substituted when the resignation is presented within the 30 days previous to the election day. In order to correct or substitute the electoral ballots, what is stated in article 206 of this Code shall be followed; and

c) In the cases where the resignation of the candidate is notified by himself to the General council, the political party which registered him shall be informed, so that, if desired, his substitution may proceed.

2. The candidate or candidates registered by a coalition may only be substituted by cause of death or permanent total incapacity. In these cases, in order to approve the substitution, it must certify that the rules established from articles 59 to 62 of this Code were complied with accordingly.

CHAPTER SECOND

The electoral campaigns

ARTICLE 182

1. The electoral campaign is, by the effects of this Code, the entire group of activities carried out by the national political parties, the coalitions, and the registered candidates in order to obtain votes.

2. Acts of campaign are public meetings, assemblies, marches, and, generally, all those acts in which the candidates or spokespersons of the political parties address the voters in order to promote their candidacies.

3. The electoral propaganda is the group of writings, publications, images, recordings, projections, and expressions that, during the electoral campaign, the political

parties, the registered candidates, and their followers produce and broadcast, with the purpose to present before the citizens the registered candidacies.

4. The electoral propaganda and the campaign activities, referred to in this article, must convey to the voters the exposure, development, and discussion of the programs and actions established by the political parties in their basic documents, particularly, in the electoral platform which has been registered for the corresponding election.

ARTICLE 182-A

1. The expenses incurred by the political parties, the coalitions and their candidates, for the electoral propaganda and the campaign activities, shall not be higher than the upper limits stated for each election by the General Council, and approved by the corresponding Local and District Councils, in terms of the Articles 82, 105 and 116 of this Code.

2. Per this article, expenses the following shall be deemed the upper limits:

a) Propaganda expenses:

I. Including those made on walls, mantles, flyers, picketing, sound equipment, political rallies inside leased places, utilitarian propaganda, and other similar places:

b) Operative campaign expenses:

I. Including the wages and salaries of transitional personnel, temporary leasing of furniture and estates, transportation expenses of goods and persons, provisions for journeys, and likewise; and

c) Media expenses for propaganda:

Including the amounts spent on any kind of media to obtain votes, such as messages, advertising announcements and likewise.

3. The following expenses are not included within the upper limits of campaign expenditures:

Those for ordinary operation and for the support of their directive bodies and their organizations.

4. The General Council and the Local or District Boards accordingly, by determining the upper limits of the campaign expenditures, shall comply with the following rules:

a) For the election of the President of the United Mexican States, the General Council, before the beginning of the electoral campaign, shall set the upper limit of expenses for such election, paying attention to the following criteria:

I. The unit value of the vote for federal representative set for the purpose of the public financing;

II. The inflation rates established by the Bank of Mexico;

III. The number of citizens registered in the Electoral Poll in all the country by October 31th of the year before the election (**December 31th, 1993; in terms of the first paragraph, eighth transitory article; D.O. 24-IX-93**); and

IV. Duration of the campaign.

b) For the election of federal representatives by the principle of relative majority, moreover the items established in Sections I,II and IV of the aforementioned clause a), the basis previously established by the General Council shall be taken into consideration at the beginning of the campaigns, according to the following:

I. For each electoral district some variables shall be taken into consideration, such as wages by geographical area, population density and geographical conditions;

II. Three values for each variable shall be applied which the General Council shall determine regarding the conditions of each district and taking into consideration respectively, the determinations of the competent authorities according to the Labor Act, the number of inhabitants per by square kilometer, the territorial surface and the degree of access to the population centers;

III. The values for the variables determined by the General Council shall be communicated to the Executive District Boards to determine the applicable values among them to the district for each one of the variables and obtain a factor that shall be the average of these same values; and

IV. The obtained factor, under the previous section, shall apply to the resulting quantity of multiplying the unit value of the vote for federal representative by the number of citizens registered in the corresponding electoral poll to the district on the last day of October of the year before of the corresponding election in the district (**December 31, 1993; per the first paragraph, eighth transitory article; D.O. 24-IX-93**).

c) For the election of senators:

I. A different upper limit in each State or territory shall be established, according to their conditions and characteristics; and

II. Every Local Board shall sum up the quantity that had been set as upper limits for campaign expenses corresponding to every one of the districts in which the State or territory is divided. This quantity shall be the upper limit of the campaign expenditures for each formula in

the election of senators of the corresponding State or territory.

5. The General Council shall determine the upper limit of campaign expenditures referred to in clause a), previous paragraph, no later than the last day of November of the year before the election (**January 31, 1994; in terms of the first paragraph, eighth transitory article; D.O. 24-IX-93**).

6. The District and Local Councils shall approve the upper limit of campaign expenditures respectively, for federal representatives by relative majority no later than January 15th and for senators no later than January 30th of the election year.

ARTICLE 183

1. The public meetings held by the political parties and the registered candidates shall be governed by what is stated in the 9th Constitutional article and shall not have any restrictions, except for the respect for the rights of third parties, particularly, the rights of the other political parties and candidates, as well as the provisions issued by the proper administrative authority in order to exercise the freedom of assembly and the preservation of the public order.

2. In the cases where the authorities grant the free use of enclosed places of public property to the political parties or candidates, they must fulfill the following:

a) The Federal, State and municipal authorities shall offer equal treatment to all the political parties which take part in the election for the use of public places;

b) The political parties shall request the use of such places with enough time expressing the nature of the act to be performed, the number of citizens to be attending, the required time for the preparation and development of the

event, the illumination and sound requirements and the name of the citizen authorized by the political party or the candidate that shall be responsible for the good use of the place.

3. The President of the General Council may request from the competent authorities security for the candidates that ask, as well as for the candidates to the Presidency of the United Mexican States from the moment they have been selected by their parties as candidates.

ARTICLE 184

1. The political parties or candidates who decide, within the electoral campaign, to carry out marches or meetings which involve the temporary interruption of traffic, must inform the appropriate authority about their schedule, so that, the authority can foresee what is necessary to modify the traffic and, therefore, guarantee the free development of the march or meeting.

ARTICLE 185

1. The printed propaganda that the candidates use during the electoral campaign must always contain a clear identification of the political party or coalition which registered the candidate.

2. The propaganda which, during the campaign, the political parties, coalitions, and the candidates distribute in printed form, according to the terms of the 7th Constitutional article, shall not have any restrictions, except for the respect for the private life of the candidates, authorities, third parties, and the democratic values and institutions.

ARTICLE 186

1. The propaganda which is broadcast, during the campaign by the political parties through radio and television,

as well as the propaganda used in the exercise of the prerogatives, conferred to them by this Code, shall be subjected to what is stated in the 6th Constitutional article.

2. The political parties, coalitions, and candidates which carry out electoral propaganda through radio and television, must avoid any offense, libel, or slander, during such broadcast, which denigrates the candidates, political parties, institutions, and third parties.

ARTICLE 187

1. The propaganda that the political parties, coalitions and candidates carry out on the public roads through recordings, and, in general, by any other means, shall be subjected to what is stated in the previous article, as well as the administrative provisions issued in the area of prevention of noise pollution.

ARTICLE 188

1. Inside the offices, buildings, and premises occupied by the public powers and administration, it is not allowed to post nor to distribute electoral propaganda of any kind.

ARTICLE 189

1. When posting electoral propaganda, the parties and candidates must observe the following rules:

a) It may be hung on city fixtures, public bulletin boards, and portable signs, providing that it does not damage the fixtures, impede the view of drivers, or impede the free flow of traffic of pedestrians;

b) It may be hung or glued on private real estate, providing that there is the written permission of the owner;

c) It may be attached or affixed on the sites of common usage determined by the Executive District and Local Boards of the Institute, with the previous agreement of the corresponding authorities and according to the bases established by the same Boards during the month of December of the year before to the election (**February 1994; in terms of the first paragraph, eighth transitory article; D.O. 24-IX-93**);

d) It may not be glued or painted on city fixtures, highways or trains nor objects of nature according to the applicable provisions of the law; and

e) It may not be hung, glued, or painted on monuments or on the outside of public buildings.

2. The Local and District Councils, within their scope of authority, shall watch over the observance of these provisions and shall adopt the necessary measures with the purpose to assure the parties and candidates the full exercise of their corresponding rights.

ARTICLE 190

1. The electoral campaigns of the political parties shall begin from the date of register of candidacies for the corresponding election and shall conclude three days before the election.

2. The day of the election and during the three previous days, it shall not be allowed to hold meetings or public acts of campaign or propaganda and of the electoral partisanship.

3. Whoever requests or publishes any pinions polls about electoral matters from the beginning of the campaign until the official closure of the polling places, shall deliver a copy of the complete study to the General Director of the Institute, if the study is divulged by any means. In all

events, the divulgence of the results of any poll opinions shall be subject to the following paragraph.

4. During the eight days before the election and until the official closure of the polling places found in the time zones most occidental to the national territory, it shall be prohibited to publish or divulge by any means, the results of the poll opinions that show the electoral preferences of the citizens, under penalties established in article 406 of the Criminal Code for the Federal District, which is enforced in that local jurisdiction and in all the Republic when the subject matter is federal.

ARTICLE 191

1. Any violation to the provisions contained in the present chapter shall be punished in the terms of this Code.

CHAPTER THIRD

The procedures for the formation and location of the poll boards

ARTICLE 192

1. In the terms of article 155 of this Code, the sections, which the *uninominal* districts are divided into, shall have, as a maximum, 1,500 voters.

2. In every electoral section, for each 750 voters or for each succeeding number over half that amount, a polling place shall be installed, in order to receive the votes of its resident citizens; if the polling places are two or more, they shall be placed one next to the other and the voter registration list will be divided among them in alphabetical order.

3. When the demographic growth of the section requires it, the following shall apply:

a) If the number of citizens registered on the voter registration list corresponding to a section is greater than 1,500 voters, as many polling places shall be installed as are needed by the result of dividing, alphabetically, the number of citizens enrolled by 750; and

b) If there are no premises which allows for the installation on the same site for the necessary polling places, they shall be located in different places, according to the concentration and distribution of the voters in the section.

4. When the geographic conditions of a section makes difficult the access to a same site for all the resident citizens, the installation of different polling places may be arranged on sites which offer an easy access to the voters.

5. In the same manner, special polling places may be placed in the sections arranged by the corresponding District Board, as referred to in article 197 of this Code.

6. In each polling place, the installation of voting booths shall be arranged in which the voters can decide about their vote. The design and location of these voting booths in the polling places shall be done in a way that guarantees the secrecy of the vote.

ARTICLE 193

1. The procedure to form the poll boards shall be the following:

a) From February 16th to March 15th of the election year (**April 30, 1994; in terms of the Section XVI, eighth transitory article; D.O. 24-IX-93**), the Executive District Boards shall proceed to select from the nominal lists of

voters formed by January 15th of the same year (**February 28, 1994; in terms of the Section XVI, eighth transitory article; D.O. 24-IX-93**), to a 15% of the citizens of each electoral section, but in no case shall the number of the selected citizens be lower than fifty; for that purpose, the Boards may rely on the computer centers of the Institute. In this last case, the members of the Local Council and of the Local Commission of Oversight of the Federal Register of Voters of the corresponding State or territory may be present during the selection procedure, according to the previously determined program;

b) The Boards shall have an objective evaluation in order to choose from among the citizens who are qualified;

c) For the selected citizens, an orientation course shall be offered to them between March 16th and April 15th of the election year (**May 1st to 31, 1994; in terms of the Section XVII, eighth transitory article; D.O. 24-IX-93**);

d) The District Boards shall form between April 16th and the following May 15th (**June 1st to 30, 1994; in terms of the Section XVIII, eighth transitory article; D.O. 24-IX-93**) a list of those who having accredited the corresponding orientation, are not physically or legally handicapped for the office in terms of this Code. From this list the District Councils shall appoint citizens to form the poll boards;

e) The District Boards shall form the poll boards with the selected citizens, according to the described procedure, for the discharge of the functions in the polling place, according to their capacities, no later than May 15th (**last week of June of 1994; in terms of the section XIX, eighth transitory article; D.O. 24-IX-93**);

f) Once the formation of the poll boards is carried out, the District Boards shall order the publication of the lists of its members for all the electoral sections in each district,

no later than May 16th of the election year (**July 1 1994; in terms of the Section XX, eighth transitory article; D.O. 24-IX-93**), which shall also be communicated to the respective District Councils; and

g) The District Councils shall personally notify the members of the polling place of their respective appointment and they shall be summoned to render the required oath by article 125 of this Code.

2. The representatives of the political parties in the District Councils, may watch over the development of the procedure stated in this article.

ARTICLE 194

1. The polling places must be situated in places that meet the following requirements:

a) Easy and free access for the voters;

b) They promote the installations of voting booths or modular features which ensure the secrecy of voting;

c) May not be houses inhabited by federal, state, or municipal public servants or public servants of management position, nor by candidates registered in the election;

d) May not be manufacturing establishments, churches, premises of religious sects, or premises of political parties; and

e) May not be premises occupied by bars, illegal activities, or similar premises.

2. For the location of the polling places, if the stated requirements are met in clauses a) and b) of the previous paragraph, the premises occupied by schools and public offices are preferred.

ARTICLE 195

1. The procedure to determine the location of the polling places shall be the following:

a) Between February 15th and March 15th of the election year (**April 15th and May 15, 1994; in terms of the first paragraph, eighth transitory article; D.O. 24-IX-93**), the Executive District Boards shall look over the sections of the corresponding districts of find places which comply with the requirements established by the previous article;

b) Between March 10th and 20th (**between May 10th and 20, 1994; in terms of the first paragraph, eighth transitory article; D.O. 24-IX-93**), the Executive District Boards shall present, to the corresponding District Councils, a list proposing the places in which they shall locate the polling places;

c) Upon receiving the lists, the Councils shall inspect the proposed places to see if they comply with the requirements established by the previous article and, if it is required, they will make the necessary changes;

d) The District Councils, in a meeting held no later than the second week of May (**last week of June 1994; in terms of the Section I, fourth transitory article; D.O. 23-XII-93**), shall approve the list which contains the location of the polling places;

e) The President of the District Council shall order the publication of the location list of approved polling places, no later than May 15th of the election year (**July 1, 1994; in terms of the Section XXI, eighth transitory article; D.O. 24-IX-93**); and

f) As the case may be, the President of the District Council shall order a second publication of the list, with the corresponding adjustments between June 15th and 25th

of the election year (**the first ten days of August 1994; in terms of the Section XXII, eighth transitory article; D.O. 24-IX-93**).

ARTICLE 196

- 1.** The publications of the lists of members of the boards and the locations of polling places are to be posted in the public buildings most frequented in the district.
- 2.** The Secretary of the District Council shall deliver a copy of the list to each one of the representatives of the political parties, certifying this delivery.

ARTICLE 197

- 1.** The District Councils, at the proposal of the Executive District Boards, shall determine the installation of special polling places in order to receive the ballots of the voters, who are temporarily situated outside of the section corresponding to their domicile.
- 2.** For the formation of the poll board and location of the special polling places, the rules established in the present Code shall be applied.
- 3.** In each electoral district, up to five special polling places may be installed. The number and location shall be determined by the District Council in proportion to the number of municipalities encompassed in its territorial range, population density and its geographical and demographical characteristics.

CHAPTER FOURTH

The register of representatives

ARTICLE 198

1. The political parties, once they register their candidates, formulas and lists, up to thirteen days before the election, shall have the power to appoint two primary and one alternate delegates before each poll board, as well as general primary delegates.

2. The political parties may certify, in each one of the *uninominal* electoral districts, a general representative for each ten polling places in urban zones and one for each five rural polling places.

ARTICLE 199

1. The performance of the general representatives of the political parties shall be subject to the following norms:

a) They shall exercise their office, exclusively, before the poll boards installed in the electoral district for which they were certified;

b) They must perform, individually, and, in no case, may there be more than one general representative of the same political party present, at the same time, in the polling places;

c) They shall not transfer their functions to the delegates of the political parties before the poll boards; however, they may secondarily participate in their functions and in the exercise of their rights before the same poll boards;

d) In no case, shall they exercise or assume the functions of the members of the poll boards;

e) They shall not obstruct the normal process of the voting in the polling places in which they are present;

f) They may submit, at any time of the election day, interlocutory appeals; on the other hand, the filing of a written complaint is allowed only at the end of vote count when the delegate of its political party and the poll board are not present;

g) They shall only be able to request and obtain, from the poll boards of the district for which they were appointed, copies of records when the representative of their political party certified before the poll board is not present;

h) They shall be able to verify the presence of the representatives of their political party in the poll board and to request from them the reports related to their duties.

ARTICLE 200

1. The representatives of the political parties, properly certified before the poll board, shall have the following rights:

a) To participate in the installation of the polling place and contribute to the good development of their activities until the foreclosure. They shall have the right to observe and oversight the development of the election;

b) To receive a legible copy of the records of installation, the closure of voting, and the completed preliminary vote count performed in the polling place;

c) To present notices related to incidents which occurred during the voting;

d) To present at the end of the preliminary and the revised vote count, notices of protest;

e) To accompany the President of the poll board to the corresponding District Council, in order to effectuate the delivery of the electoral documentation and file; and

f) The rest which this Code establishes.

2. The representatives shall watch over the fulfillment of the provisions of this Code, and must sign all the records which are made, being able to do it under protest with mention of the reason of protest.

ARTICLE 201

1. The register of the appointments of the representatives before the poll boards and of the general representatives shall be done before the corresponding District Council, and it shall be subject to the following rules:

a) The day following of the publication of the poll lists until thirteen days before the election day, the political parties shall register their own documentation and before the corresponding District Council, to their general poll delegates. Such documentation shall fulfill the requirements established by the General Council;

b) The District Councils shall return, to the political parties, the original documents of the corresponding appointments with the seal duly affixed and signed by the President and Secretary of the same, keeping one copy; and

c) The political parties may substitute to their delegates up to ten days before the election day, returning the former appointment enclosed with the new one.

2. Repealed.

ARTICLE 202

1. The return that clause b) of the previous article refers to, shall be subject to the following rules:

- a)** It shall be done by means of a writing, signed by the leader or representative of the political party who made the appointment;
- b)** The official letter must be accompanied with a list of polling places, in numerical order, and of the names of the primary and alternate representatives, stating the code of the Credential to Vote of each one of them;
- c)** The petitions of register which lack one or more of the personal data of the representatives before the poll board, shall be returned to the soliciting political party, so that within the three following days it will amend the omissions; and
- d)** Upon the maturation of the period, stated in the previous clause, without the omissions being corrected, the appointment shall not be registered.

ARTICLE 203

1. The appointment form of the representatives before the poll board must contain the following data:

- a)** Denomination of the political party;
- b)** Name of the representative;
- c)** The indication of their status of being either a primary or alternate representative;
- d)** Number of the electoral district, section, and polling place in which they will perform;
- e)** Domicile of the representative;
- f)** Code of the Credential to Vote;
- g)** Signature of the representative;

h) Repealed

i) Date and place of issuance; and

j) Signature of representative or leader of the political party who made the appointment.

2. In order to guarantee to the representatives before the poll board the exercise of the rights that this Code grants to them, the text of the articles which correspond shall be printed on the reverse of the appointment form.

3. In case that the President of the District Council does not make a decision within the 48 hours following the request or denies the register, the interested political party, in an additional way, may request from the President of the corresponding Local Council to register the representatives.

4. In order to guarantee the representatives of a political party their proper certification before the poll board, the President of the District Council shall deliver, to the President of each board, a list of the representatives who have the right to perform their duties in the corresponding polling place.

ARTICLE 204

1. The appointment forms of the general representatives must contain the same data as the appointment forms of the representatives before the poll boards, with the exception of the number of the polling place.

2. From these appointment forms, a list shall be formed which must be delivered to the Presidents of the poll boards.

3. In order to guarantee the general representatives the exercise of the rights that are granted to them by this

Code, on the reverse of the appointment form shall be printed the text of the corresponding articles.

CHAPTER FIFTH

The electoral documentation and material

ARTICLE 205

1. For the casting of votes, the General Council of the Institute, taking into consideration the measure for certainty deemed proper, shall approve the model of electoral ballot to be used for the election.

2. The ballots for the election of President of the United Mexican States, senators, and deputies shall contain:

a) State, district, number of the *plurinominal* circumscription, municipality or delegation¹⁰;

b) Office for which the candidate or candidates is nominated;

c) Color or combination of colors and emblem of the national political party or the emblem and color or colors of the coalition;

d) Father's last name, mother's last name, and full name of the candidate or candidates;

e) In the case of the election for deputies by relative majority and proportional representation, just one circle by each political party in order to comprise the *fórmula* of candidates and the regional list;

f) In the case of the election for senators, one single circle for the list of the three formulas, primary and alternate, nominated by each political party;

g) In the case of the election of President of the United Mexican States, only one circle by each candidate:

h) The printed signatures of the General Director and of the General Secretary of the Federal Electoral Institute; and

i) Space for the candidates or *fórmulas* not registered.

3. The ballots for the election of deputies shall carry the printed information about the regional lists of the primary and alternate candidates which the political parties nominate.

4. The colors and emblem of the political parties shall appear on the ballot in the order which corresponds to them, according to the seniority of their register.

ARTICLE 206

1. In case of cancellation of the register, or substitution of one or more of the candidates, the ballots which were already printed shall be corrected on the relevant part or substituted for others, according to what is agreed upon by the General Council of the Institute. If it is not able to effectuate its correction or substitution, or the ballots have already been distributed to the polling places, the votes shall count for the political parties and the candidates which have legally registered, before the corresponding General, Local, or District Councils, at the time of the election.

ARTICLE 207

1. The ballots must be in the possession of the District Council twenty days before the election day.

2. For its control, the following measures shall be taken:

a) The authorized personnel of the Federal Electoral Institute shall deliver the ballots on the preestablished day, hour, and place to the President of the District Council, who shall be accompanied by the rest of the members of the Council;

b) The Secretary of the District Council shall make a detailed record of the delivery and receipt of the ballots, establishing on it the facts related to the number of ballots, the characteristics of the package which contains them, and the names and offices of the functionaries who are present;

c) Immediately following, the present members of the District Council shall accompany the President in order to deposit the received documents in the place previously assigned inside its premises, and ensuring its integrity by means of bands, sealed and signed by the attendants. These details shall be established on the respective record;

d) The same day or, no later than, the following day, the President of the Council, the Secretary and the citizen *consejeros* shall begin to count the ballots in order to specify the received quantity, seal the backs of them, and group them according to the number of voters which corresponds to each one of the polling places to be installed, including those of the special polling places according to the number which the General Council decides. The Secretary shall register the details of this distribution; and

e) These operations shall be done in the presence of the representatives of the political parties which decide to attend.

3. The representatives of the parties, under their highest responsibility, and, if they so desire, may sign the ballots, make a record which attests to the number of the ballots which they were given to sign, the number of the ballots signed and, if it is the case, the number of the missing ballots after the procedure of signing has been done. In

this last case, immediate notice shall be given to the appropriate authority.

4. The lack of signatures of the representatives on the ballots shall not impede its timely distribution.

ARTICLE 208

1. The Presidents of the District Councils shall deliver to each President of the poll board, within five days previous to the day before the election, and receive a detailed receipt of the following:

- a) The voter registration list of the corresponding section, in the terms of articles 155 and 161 of this Code;
- b) The list of the representatives of the parties registered for the polling place in the Electoral District Council;
- c) The list of the general representatives certified by each political party in the district in which the polling place in question is established;
- d) The ballots for each election, in equal number to the voters which appear on the voter registration list for each polling place of the section;
- e) The ballot boxes for receiving the votes, one for each referred election;
- f) Indelible ink;
- g) The documentation, approved forms, office material, and the rest of the necessary items;
- h) The instructions which indicate the attributes and responsibilities of the functionaries of the polling place; and
- i) The screens or modular features which ensure (to the voter) the secrecy of his or her balloting.

2. The Presidents of special poll boards shall receive the documents and materials, which are referred to in the previous paragraph with the exception of the voter registration list, in place of which they shall receive the special forms in order to annotate the personal data of the voters who, being temporarily outside of their section, vote in the special polling place. The number of ballots that are delivered shall not be greater than 1,500.

3. The General Council shall trust to an academic or technical institution of known prestige, the certification of the characteristics and quality of the indelible ink to be used during the election day. The selected liquid shall be guaranteed fully. The containers shall have features that enable the product to be identifiable.

4. The delivery and reception of the material referred to in the previous paragraphs 1 and 2 shall be made with the participation of the members of the District Councils which decide to attend.

ARTICLE 209

1. The ballot boxes in which the voters deposit their ballots upon casting their vote, must be constructed of a transparent material and should be able to be, preferably, folded or assembled.

2. The ballot boxes shall have on the outside and on a visible place, printed or adhered with the same color of the corresponding ballot, the denomination of the referred election.

ARTICLE 210

1. The President and Secretary of each polling place shall take care of the material conditions of the premises in which it has been installed, in order to facilitate the vote, guarantee the liberty and the secrecy of the vote, and to

assure order in the election. There must not be party propaganda in the premises or on the outside of the polling place; if there is any, it shall be ordered removed.

ARTICLE 211

1. The District Councils shall publicize the list of the places in which the polls will be installed and print an instruction booklet for the voters.

THIRD TITLE

The election day

CHAPTER FIRST

The installation and opening of the polling booths

ARTICLE 212

1. During the election day, an affidavit shall be issued containing all the common data of the elections as well as an affidavit regarding the vote count of each one of the elections.

2. On the first Sunday of July of the ordinary election (**third Sunday of August 21, 1994; in terms of the Section XXIII, eighth transitory article; D.O. 24-IX-93**), at 8:00 a.m. the citizen President, Secretary and vote-counters of the poll boards, who were appointed as primary appointments, shall begin to open the polling place in the presence of the attending delegates of the political parties.

3. At request of one political party, the electoral ballots may be signed or sealed by one of the party delegates

before the designed polling place, by lottery, to avoid disturbances in the development of the voting. The absence of a signature or seal in the ballots shall not cause the nullification the voting. The next step shall be to issue an affidavit of the election day completing and signing the space related to the installation of the polling booth.

4. The affidavit of the election day shall be completed as follows, blanks:

a) Corresponding to the installation; and

b) Corresponding to the foreclosure of the balloting.

5) In the corresponding blanks for the installation, the following shall be completed:

a) The place, the date and the time when the installation begins;

b) The names of the persons who act as authorities of the polling place;

c) The number of ballots received for each election;

d) That the ballot boxes were assembled or opened in the presence of the authorities, delegates and voters, in order to verify that such boxes were empty and that they were placed on a table or another adequate place to be seen by the delegates of the political parties;

e) A report of the any incidents that may have happened, if any; and

f) If relevant, the cause by which the location of the polling place was changed.

6. In no case shall the polling places be opened before 8:00 a.m.

7. The members of the poll board may not be released until the polling place is closed.

ARTICLE 213

1. For the polling place not installed according to the previous article, it shall proceed as follows:

a) If at 8:15 a.m., one or more of the primary functionaries are not present, the respective alternates shall act in their place;

b) If at 8:30 a.m., the poll board is not formed according to the previous clause, but the President or his alternate is present, any of those two shall designate the necessary functionaries in order to make up for those who are absent and shall proceed with the installation of the polling place;

c) In absence of the President or one of his or her alternate at 8:45 a.m. the District Council shall take the necessary measures for the proper installation of the polling place and shall appoint personnel from the Federal Electoral Institute in charge of enforcing them and verifying sure of its installation; and

d) When for reasons of distance or difficulty in communications, the timely intervention of the designated personnel from the Federal Electoral Institute will not be possible, at 11:00 a.m., the delegates of the political parties before the polling places shall appoint, by majority, to the required authorities to form the poll board, the present voters of the electoral section.

2. For what is stated in clause d) of the previous paragraph, it shall be required:

a) The presence of a judge or notary public, who has the obligation to assist and attest to the acts; and

b) In the absence of a judge or notary public, it shall be enough that the representatives express their assent in order to designate, by common agreement, the members of the board.

3. The appointments which have been made, according to clauses b), c), and d) of paragraph 1 of this article, must be given to voters who are in the polling place to cast their vote; in no case, may the appointments be given to the representatives of the political parties.

ARTICLE 214

1. The authorities and delegates who acted at the polling place, shall sign the affidavits, without exception.

ARTICLE 215

1. It is considered that justified cause exists for the installation of a polling place in a different place than indicated, when:

a) The premises indicated in the respective publications do not exist;

b) The premises are found closed or shut down and, therefore, the installation can not be done;

c) It is noticed, at the time of the installation of the polling place, that it will be done in a place prohibited by law;

d) The conditions of the premises do not allow for the assurance of the freedom or the secrecy of the vote, or the easy and free access for the voters, or they do not guarantee the realization of electoral operations in a normal way. In this case, it shall be necessary for the present functionaries and representatives to make the corresponding determination by common agreement; and

e) The District Council permits it due to an act of nature or unforeseen occurrence and it shall be notified to the President of the polling place.

2. For the stated cases in the previous paragraph, the polling place must remain installed in the same electoral section and in the closest adequate place, and notice must be left of the new premises on the outside of the original place which does not meet the requirements.

3. Repealed

CHAPTER SECOND

The voting

ARTICULO 216

1. Once the affidavit of the election day has been filled up and signed in the corresponding space, the President of the poll board shall announce the beginning of the voting.

2. Once the voting starts, it may not be suspended but for an act of nature. In this case, it shall be up to the President to give immediate notice to the District Council, in writing, in which includes the reason for suspension, the time in which it occurred, and the indication of the voters which, at the moment, have exercised their right to vote.

3. The referred letter must be signed by two witnesses, who shall be, preferably, the members of the poll board or the representatives of the political parties.

4. When the previous communication is received, the District Council shall decide if the voting is to resume, in which case, it shall take the measures it deems necessary.

ARTICULO 217

1. The voters shall vote in the order in which they are present before the poll board and having their pictured voting card ready to show.

a) Repealed

b) Repealed

2. Repealed

3. The Presidents of polling places shall permit those citizens to cast their vote, who are on the voter registration list corresponding to their domicile, but whose Credential to Vote contains errors regarding the section.

4. In the case referred to in the previous paragraph, the Presidents of polling places, besides identifying the voters in the terms of this Code, shall make sure of their residence in the corresponding section, by the means which they deem most effective.

5. The President of the polling place shall take away the Credentials to Vote which have indications of alteration or which do not belong to the citizens who hold them, and he shall also put these citizens under the custody of the authorities.

6. The Secretary of the poll board shall annotate the incident on the respective record, with express mention of the name of the citizen or citizens presumed responsible.

ARTICLE 218

1. Once verified that the voter appears enrolled on the nominal lists and that he or she has exhibited his or her pictured credential to vote, the President shall give the election ballots, so that he or she may freely and privately

cast the ballots in the circle or square corresponding to the political party for which he or she wishes to vote to, or in the case, write the name of the candidate not registered for whom he or she wish to vote.

2. Those voters who do not know how to read or who are physically impaired to mark their ballots, may be assisted by a person, whom they trust, who accompanies them.

3. Immediately following, the voter shall fold his ballots and shall deposit them into the corresponding ballot box.

4. The Secretary of the polling place shall annotate the word "voted" on the corresponding voter registration list and shall proceed to:

a) To indicate next to the pictured credential to vote, belonging to the voter, that, hee or she have has vote;

b) To mark the voter's thumb print voter with indeleble ink; and

c) To return the Credential to Vote to the voter.

5. The representatives of the political parties before the poll boards may exercise their right to vote in the polling place in which they are certified, for which they shall follow the stated procedure in this and the previous article; the complete name and the code of the Credential to Vote of the representatives shall be annotated at the end of the voter registration list.

ARTICLE 219

1. The President of the poll board, in the premises where the polling place has been installed, shall have authority in order to maintain the peace, assure the free access for voters, to guarantee, all the time, the secrecy of vote, and to keep the strict observance of this Code.

2. The members of the poll board must remain in the polling place throughout the voting, but they may never interfere with the liberty and the secrecy of the vote for the voters.

3. The following shall have access to the polling place:

a) The voters who have been admitted by the President, in the terms established by article 218 of this Code;

b) The representatives of the political parties, properly certified in the terms established by articles 203 and 204 of this Code;

c) The notary publics and the judges who must attest to any act related to the formation of the poll board, the installation of the polling place and, generally, anything related to the process of voting, but just as long as they identify themselves to the President of the poll board and specify which kind of actions they will carry out, which in no case, may violate the secrecy of the vote; and

d) The functionaries of the Federal Electoral Institute, who have been summoned by the President of the poll board.

4. The general representatives shall remain in the polling places the time necessary in order to fulfill the functions established for them by article 199 of this Code; they may not interfere with the free process of voting nor assume the functions of the members of the poll board. The President of the poll board may request them to carry out their functions, or, if it is the case, he may order their dismissal when the representative quits fulfilling his functions, coerces the voters, or affects the normal process of voting in any way.

5. In no case shall access to the polling place be allowed for persons, who are lacking in their mental faculties, intoxicated, under the influence of drugs, have their faces covered, or are armed.

6. The members of bodies or forces of public security, leaders of political parties, candidates, or popular representatives shall, also, be denied permission to enter the polling places, except for when they exercise their right to vote.

ARTICLE 220

1. The President of the poll board may request, at any time, the assistance of the forces of public security, with the purpose to preserve the order in the polling place and the normal process of voting, by ordering the dismissal of any person who interferes with or breaches the peace.

2. In these cases, the Secretary of the polling place shall state, upon a special record, the causes of the breaching of the order and the measures taken by the President, which must be signed by the functionaries of the polling place and the representatives of the political parties certified before it. If a functionary or representative refuses to sign the record, the Secretary shall state upon the record this refusal.

ARTICLE 221

1. The representatives of the political parties may present, to the Secretary of the poll board, a notice about any incident that, in their opinion, constitutes a violation to what is stated in this Code.

2. The Secretary shall receive those notices and shall incorporate them into the electoral file of the polling place without any debate about its admission to it.

ARTICLE 222

1. No authority may arrest the members of the poll board or the representatives of the political parties during the election day, except in the case of a flagrant offense.

ARTICLE 223

1. In the special polling places, in order to receive the votes from voters who, temporarily, are out of their own sections, the rules established in the previous articles and the following shall be applied:

a) The voter, besides showing his Credential to Vote, shall show, as required by the President of the poll board, his right thumb in order to verify that he has not voted already in another polling place; and

b) The Secretary of the poll board shall proceed to establish, on the record of voters temporarily outside of their own section, the data which is on their Credentials to Vote.

2. Once the data, referred to in the previous clause has been established, the following shall be observed:

a) If the voter is outside of his section, but inside his district, he may vote for deputies by the principle of proportional representation, for senator, and for President of the United Mexican States. The President of the poll board shall give him the special ballot for the election for deputies, inscribing on it "*representación proporcional*" or the abbreviation "R.P.";

b) If the voter is out of his district, but inside his state, he may vote for deputies by the principle of proportional representation, for senators, and for President of the United Mexican States. The President of the poll board shall, also, give him the special ballot for the election for deputies, inscribing on it "*representación proporcional*" or the abbreviation "R.P.";

c) If the voter is outside of his state, but inside his circumscription, he may vote for deputies by the principle of proportional representation, and for President of the United Mexican States. The President shall give him the special

ballot for the election for deputies, inscribing on it "*representación proporcional*" or the abbreviation "R.P."; and

d) If the voter is outside his district, state and circumscription, but inside the national territory, he shall only be allowed to vote for President of the United Mexican States.

3. When the requirements are met to qualify as a voter and the data from the Credential to Vote has been annotated on the corresponding record, the President of the polling place shall give him as many ballots as he has a right to.

4. The Secretary shall write, after the name of the citizen, the election or the elections which he has voted in.

ARTICLE 224

1. The voting shall be closed at 6:00 p.m.

2. The voting may be closed before the established time in the previous paragraph, only, when the President and the Secretary certify that all the voters contained on the corresponding voter registration list have voted.

3. It shall remain open after 6:00 p.m., only, when the polling place has voters still in line, who are waiting to vote. In this case, the polling place shall be closed once all those voters who were in line at 6:00 p.m. have voted.

ARTICLE 225

1. When what is stated in the previous article has been accomplished, the President shall declare the voting closed.

2. Immediately following, the Secretary shall complete the space corresponding to the foreclosure of voting in the

affidavit of the election day, which shall be signed by the authorities and delegates.

3. In all event, the corresponding blanks the foreclosure of voting shall contain:

a) The time of the foreclosure of voting

b) The explanation of why the polling place was closed before or after 6:00 p.m.

CHAPTER THIRD

Scrutiny and Computation in the pool booth

ARTICLE 226

1. Once the voting is closed and the affidavit has been completed and signed in the corresponding space, the members of the poll board shall proceed with the preliminary and revised count of the votes cast in the polling place.

ARTICLE 227

1. The preliminary and revised vote count are the procedures in which the members of each poll board determine:

a) The number of voters who voted in the polling place;

b) The number of votes cast in favor of each of the political parties or candidates;

c) The number of votes invalidated by the poll board; and

d) The number of the remaining ballots of each election.

2. The voided vote shall be understood as that one cast by one voter in the ballot deposited in the booth, but that the voter did not mark one single circle or square corresponding to the emblem of the political party or coalition.

3. Remaining ballots are understood as those that had been returned to the poll board because they were not used by the voters.

ARTICLE 228

1. The preliminary and revised vote count shall be done in the following order:

a) For deputies;

b) For senator; and

c) For President of the United Mexican States.

ARTICLE 229

1. The preliminary and revised vote count of each election shall be carried out according the following rules:

a) The Secretary of the poll board shall count the left over ballots and invalidate by crossing them out twice with diagonal lines, with ink, and shall keep them in a special envelope which will be sealed with written number of left over ballots written on the outside;

b) The first vote counter shall count the number of citizens, who have voted and who appear on the voter registration list for the section;

c) The President of the poll board shall open the ballot box, take out the ballots, and show the persons present that the ballot box is empty;

d) The second vote counter shall count the ballots extracted from the ballot box;

e) Both vote counters, under the supervision of the President, shall classify the ballots in order to determine:

I. The number of votes cast in favor of each of the political parties and candidates; and

II. The number of votes canceled; and

f) The Secretary shall annotate, on separate pieces of paper, the results of each of the operations referred to in the previous parts, which, once they are verified, shall be transcribed by the Secretary onto the respective records of preliminary and revised vote count for each election.

ARTICLE 230

1. In order to determine the validity or invalidity of votes the following rules shall be observed:

a) A valid vote shall be made by one single circle or in the square that matches the emblem of the political party or coalition selected;

b) A vote cast in a different way than that established shall be counted as invalid; and

c) The votes cast in favor of a candidate not registered shall be transcribed, separately, on the record.

ARTICLE 231

1. If ballots of one election are found in the ballot box of another, they shall be separated and be counted for the proper corresponding election.

ARTICLE 232

1. An affidavit of preliminary and revised vote count shall be issued. Each affidavit shall contain at least:

- a)** The number of votes cast in favor of a political party or candidate;
- b)** The total number of leftover ballots which were unused;
- c)** The number of invalid votes;
- d)** A report of the incidents, if any; and
- e)** An account of notices of protest, presented by the representatives of the political parties at the end of the preliminary and revised vote count.

2. In all cases, the previous facts shall be annotated on the forms approved by the General Council of the Federal Electoral Institute.

3. In any event, the voided votes shall be added to the remaining ballots that were crossed out.

ARTICLE 233

1. When the preliminary and revised count of all the votes has been finished, the corresponding affidavits of each election shall be made and signed, without exception, by all the authorities and delegates of the political parties who participated at the polling place.

2. The representatives of the political parties before the polling places, shall have the right to sign the record under protest, indicating the reasons for it.

ARTICLE 234

1. When the preliminary and revised vote count of each of the elections have been concluded, a file of the polling place shall be made with the following documentation:

- a) One copy of the affidavit of the election day;
- b) Repealed
- c) A copy of the final record of preliminary and revised vote count; and
- d) The notices of protest received.

2. The remaining ballots marked as useless and the ones containing the valid votes as well as the voided votes of each election shall be forwarded in separate envelopes.

3. The voter registration list shall be sent in a separate envelope also.

4. In order to guarantee the inviolability of the previous documents, the file of each of the elections and the envelopes shall be placed in a package which on its cover it shall be signed by the members of the poll board and by the representatives who wish to do so.

5. The denomination, "file of poll booth", shall correspond to what has been formed with the records and the notices of protest referred to in paragraph 1 of this article.

ARTICLE 235

1. A legible copy of the records of the polling places, established on the form or forms approved for that purpose by the General Council of the Institute, shall be delivered to the representatives of the political parties upon the corresponding acknowledgment of receipt.

2. On the outside of the package, referred to in paragraph 4 of the previous article, an envelope shall be adhered containing a copy of the record which shall contain the results of the preliminary and revised vote count of each one of the elections, in order to deliver it to the President of the corresponding District Council.

ARTICLE 236

1. When the operations are fulfilled, referred to in the previous article, the Presidents of the poll boards shall post announcements with the results of the elections on a visible site outside of the polling place and which shall be signed by the President and the representatives who wish to do so.

CHAPTER FOURTH

The closing of the poll booth and the delivery of the file

ARTICLE 237

1. When the procedures established in the previous articles are concluded by the poll board, the Secretary shall issue a certification of the time of foreclosure of the polling board and the name of the authorities and delegates who shall deliver the package of the files. The certification shall be signed by the authorities of the polling place and the delegates of the political parties who wish to do it.

2. Repealed.

ARTICLE 238

1. When the procedures established in the previous articles are concluded by the poll board, the President shall

deliver to the district council the package and files in the following terms, upon closing:

2. The district councils may determine the terms the day before elections, when it is justified.

a) Immediately if the poll booth are head of the district.

b) 12 hours in urban poll booths.

c) 24 hours in country poll booths.

3. The District Councils shall adopt, before the election day, the necessary measures to deliver the packages containing the election files within the terms established and to be received at the same time.

4. The District Councils may agree, when necessary, to establish a mechanism in order to gather the documentation of the polling places in the terms of this Code. This shall be done under the vigilance of the political parties which wish to do so.

5. It shall be considered that justified cause exists, when the packages with the files are delivered to the District Council outside of the established periods, when an unforeseen occurrence or act of nature is responsible.

6. The District Council shall attest to, on the receipt record of the packages referred to in article 242 of this Code, the causes invoked for the delay of the delivery of the packages.

CHAPTER FIFTH

Supplementary Provisions

ARTICLE 239

1. In order to assure the order and to guarantee the development of the election day, the bodies of public security of the Federation, states, and municipalities, or if necessary, the armed forces, must give the assistance required by the bodies of the Federal Electoral Institute and the Presidents of the poll boards, within the scope of their respective authorities, according to the provisions of this Code.

2. On the election day and the day before, all the establishments which sell any kind of alcoholic beverages shall remain closed.

3. On the election day, only the uniformed members of the public forces in charge of the order may bear arms.

ARTICLE 240

1. The federal, state, and municipal authorities, at the request of the proper electoral bodies, shall supply the following:

a) The information in their possession related to the election day;

b) The certifications of the facts attested to by them, or the certifications of the documents which exist in their files related to the electoral process;

c) The necessary support, so that the electoral bodies can practice the electoral formalities which are demanded of them; and

d) The information about the facts which may influence or alter the outcome of the elections.

2. The district, state, and municipal courts shall remain open during the election day. The offices of the government attorneys and the offices which sometimes carry out the same functions shall have the same obligation.

ARTICLE 241

1. The notary publics shall keep their offices open during the election day and must attend to the requests made by the functionaries of the polling place, the citizens, and the representatives of the political parties, in order to attest to facts or certify the documents related to the election.

2. For those purposes, the associations of notaries of the states shall publish, five days before the election, the names of their members and the addresses of their offices.

FOURTH TITLE

The acts proceeding the election and the electoral results

CHAPTER FIRST

Preliminary Provisions

ARTICLE 242

1. The reception, deposit, and vigilance by the District Councils of the packages which contain the files of the polling places, shall be done according to the following procedure:

a) They shall be received in the order given by the authorized persons;

b) The President of the authority empowered by the District Council, shall issue a receipt stating the time when they were delivered;

c) The President of the District Council shall arrange the deposit of the packages, by numerical order of the polling places, (keeping those of the special polling places separate) in a place inside the premises of the Council, which meets the conditions of security from the moment of their reception until the day the district vote count is done; and

d) The President of the District Council, under his responsibility, shall watch over the packages and, with that purpose, shall arrange to seal the doors which have access to the place where they were deposited; this shall be done in the presence of the representatives of the political parties.

2. A record shall be made of the reception of the packages which contain the files of the polling places, and it shall attest, if it is the case, which packages have been received without having met the requirements referred to in this Code.

CHAPTER SECOND

The preliminary information of the results

ARTICLE 243

1. The District Councils shall count the records of preliminary and revised vote count of the polling places as they receive them, until the expiration of the legal period

for the delivery of the packages containing the electoral files, according to the following rules:

a) The District Council shall authorize the necessary personnel to delive, the electoral packages. The political parties may have their alternate delegates present during the delivery;

b) The appointed electoral authorities shall receive the affidavits of preliminary and revised vote count, and immediatly shall read aloud the results of the voting which appears on them. He shall then proceed to add the corresponding votes and immediately inform to the General Direction of the Institute;

c) The Secretary or the authorized person to do it shall write the results in the spaces provided for that purpose, according to the numbered order of the polling places; and

d) The delegates of the certified political parties before the Council shall be provided with the proper formats on which to write the results of the voting in the polling places.

ARTICLE 244

1. For the proper information of the citizens, upon conclusion of the period which is referred to in article 238 of this Code, the President must place, on the outside of the premises of the District Council, the preliminary results of the elections in the District.

CHAPTER THIRD

District vote counts and the validity declaration of the election of representatives of relative majority.

ARTICLE 245

1. The district vote count of an election is the count carried out, by the District Council, of the annotated results on the records of preliminary and revised vote count of the polling places in an electoral district.

ARTICLE 246

1. The District Councils shall hold meetings from 8:00 a.m. of the Wednesday following the election day, to count the vote of each one of the elections, in the following order:

- a) The voting for the President of the United Mexican States;
- b) The voting for the federal representatives; and
- c) The voting for the senators.

2. Each one of the vote counts, which is referred to in the previous paragraph, shall be carried out in a consecutive and continuous way.

3. The District Councils, in a meeting before the election day, may decide that the members of the Professional Electoral Service may substitute or alternate among themselves in the sessions or may be replaced by other members of the Professional Electoral Service from those that collaborate in the respective District Board. Likewise, the citizen counselors and delegates of the political parties

may be substituted by alternates in their absence with full powers to speak and vote.

4. The District Councils shall count the manpower, material, technical and financial resources required to carry out the vote counts in a permanent way.

ARTICLE 247

1. The district vote count of the voting for deputies, shall be subject to the following procedure:

a) The packages, which contain the files of the election, and that do not have indications of alteration, shall be opened following the numerical order of the polling places; the result of the record of preliminary and revised vote count, contained in the file of the polling place, shall be compared with the results of the one in the possession of the President of the District Council. If the results of both records agree, it shall be so stated on the established forms;

b) If the results of the affidavits do not match or there is not a final affidavit of preliminary and revised vote count in the file of the polling place, or it is not in possession of the President of the Council, a new preliminary and revised vote count of the polling place shall be carried out, issuing an affidavit. The results shall be written down in the form established leaving a detailed account of the facts in the aforementioned affidavit; in the same way, the objections uttered by any delegate of a party must be included, leaving open the right of the party to dispute the vote count before the Federal Electoral Tribunal. In any case, it is allowed to block or impede the carryong out of the vote counts;

c) When some mistakes or modifications appear in the affidavits, the District Council may agree upon the re-counting of the preliminary and revised vote count in

accordance to the established procedure in the previous clause;

d) The packages showing irregularities shall be immediately opened and, if applicable, clauses shall be carried out the revisions mentioned in the previous, stating the following in the detailed affidavit;

e) The sum of the results, after having completed the operations stated in the previous clauses, shall constitute the district vote count in the election of the relative majority federal representatives, which shall be included in the corresponding affidavit;

f) The next step shall be the opening of the packages in which the files from the special polling places are contained, in order to sustain the election file for federal representatives and to proceed under clauses a) to d) of this article;

g) The district vote count of the federal representatives elected by the principle of proportional representation shall be the result of adding the amounts obtained according to the two previous clauses; this count shall be included in the corresponding affidavit;

h) The District Council shall verify the fulfillment of the formal requirements for the election and likewise that the candidates of the formula which had obtained the majority voting had satisfied them with the electoral requisites stated in the article 7 of this Code; and

i) The results of the vote count shall be included in the detailed affidavit issued at the corresponding meeting, the incidents that may occur during its development and the declaration of validity of the election and eligibility of the candidates of the formula which received the majority voting.

ARTICLE 248

1. Upon the conclusion of the vote count and issuance of the declaration of validity for the election of the federal representatives, the President of the District Council shall issue the majority certification and validation to he or she who won, except to the formula members who were declared ineligible.

ARTICLE 249

1. The district vote count of the voting for senator shall be subject to the following procedure:

a) It shall have the stated operations as in clauses a) to d) of article 247 of this Code;

b) Immediately following, the files of the special polling places related to the election for senator shall be extracted and the operations referred to in the previous shall be carried out;

c) The district vote count of the senatorial election shall be the result of the sum of amounts obtained according to the two previous clauses and shall be stated in the corresponding affidavit of the election; and

d) The minutes of the vote count session shall state the results of the vote count and the incidents which occur during the session.

ARTICLE 250

1. The district vote count of the voting for President of the United Mexican States shall be subject to the following:

a) The operations stated in clauses a) to d) of article 247 of this Code shall be carried out;

b) Immediately following, the files of the special polling places shall be extracted, related to the election of President, and the operations referred to in the previous clause shall be carried out;

c) The district vote count of the election for President of the United Mexican States shall be the result of the sum of the amounts obtained according to the two previous clauses, and it shall be established on the record corresponding to this election; and

d) The results of the vote count and the incidents which occur during this session shall be included on the minutes of the session.

ARTICLE 251

1. The Presidents of the District Councils must post on the outside of their premises, at the end of the session for the district vote count, the results of each one of the elections.

ARTICLE 252

1. The President of the District Council must:

a) Compile the file of the district vote count of the election for deputies by relative majority with the records of the polling places, the original of the record of district vote count, the minutes of the vote count session, and the report of the President about the development of the electoral process;

b) Compile the file of the district vote count of the election for deputies by the principle of proportional representation with a certified copy of the records of the polling places, the original of the record of the district vote count for proportional representation, certified copy of the minutes of the vote count session, and copy of the report of

the President about the development of the electoral process;

c) Compile the file of the district vote count of the election for senators with the corresponding affidavits of the polling places, the original of the district vote count affidavit, certified copy of the detailed affidavit of the vote count session and a copy of the report made by the same President, about the development of the electoral process; and

d) Compile the file of the district vote count for President of the United Mexican States with the corresponding records of the polling places, the original of the record of district vote count, certified copy of the minutes of the vote count session, and copy of the report of the President about the development of the electoral process.

ARTICLE 253

1. The President of the District Council, once the files are compiled, shall proceed to:

a) Submit to the competent Chamber of the Federal Electoral Tribunal, along with the appeals of inconformity, the notices of complaint and the respective report, as well as the certified copy of the file of the district vote count and declaration of validity in the election of relative majority representatives and, if the case be, the file of the district vote count of the election of President of the United Mexican States, whose results had been appealed in the terms of the Second Title of the Seventh Book of this Code;

b) Submit, once the term has expired for filing the appeal of inconformity, to the Oficialía Mayor of the House of Representatives, the file of the district vote count which contains the original affidavits and any other relevant documentation to the election of the President of the United Mexican States; as well as certified copy of the majority and validity of certification the formula of candidates of relative majority representatives to those who had

obtained it; and a report of the appeals filed in each one of the elections. Of the documentation contained in the file of district vote count a copy shall be sent to the General Director of the Federal Electoral Institute. When the appeal of inconformity is filed, a copy shall be sent to both institutions;

c) Submit, to the Local Council of the state, the file of district vote count which contains the original records and documentation of the election for senator. A certified copy of the records and documentation contained in the said file shall be sent to the General Director of the Federal Electoral Institute; and d) Submit, to the corresponding Local Council with residence in the headquarters of the circumscription, the file of the district vote count which contains the original records and certified copies and the rest of the documents of the election for deputies by the principle of proportional representation. Of the records and documentation contained in the file, a certified copy of each one shall be sent to the *Oficialía Mayor* of the Chamber of Deputies and to the General Director of the Federal Electoral Institute.

d) Submit, to the corresponding Local Council with residence in the headquarters of the circumscription, the file of the district vote count which contains the original affidavits and certified copies, and the rest of the documents of the election for federal representatives by the principle of proportional representation. A certified copy of the affidavits and documentation contained in such file shall be sent to the General Director of the Federal Electoral Institute.

ARTICLE 254

1. The Presidents of the District Councils shall keep in their possession a certified copy of all the records and documentation of each of the files of the district vote count.

2. Likewise, the President shall take the necessary measures to deposit in the proper place, the envelopes which contain the documentation referred to the article 234 of this Code, until the conclusion of the electoral process. Once the process is finished, they shall proceed with their destruction.

CHAPTER FOURTH

The State vote counts and the declaration of validity for the election of senators

ARTICLE 255

1. The Local Councils shall hold session Sunday following the election day, in order to carry out the State vote count corresponding to the election for senators and the declaration of validity of the same election.

ARTICLE 256

1. The state vote count is the procedure by which each one of the Local Councils determines, by the sum of the annotated results on the records of district vote count for the election of senators, the votes obtained in the state for this election. This vote count shall be subject to the following rules;

a) The results shall be taken note of which are established on each one of the records of district vote count;

b) The sum of these results shall constitute the state vote count for the election of senator; and

c) The Local Council shall verify the fulfillment of the formal requirements of the election and likewise that the candidates of the formulas for senator that had obtained the victory by the principle of relative majority as well as

the formula registered in first place of the party that had by itself the second place in the voting, fulfill the requisites of eligibility established in article 7 of this Code; and

d) The results of the vote count, shall be stated in the detailed affidavit of the session, and the incidents that occurred during the session and the declaration of validity of the election and the eligibility of the candidates of the formulas for senator that had obtained the victory as well as the formula registered in the first place of the party that by itself had obtained second place in the voting.

ARTICLE 257

1. The President of the Local Council must;

a) Issue, at the conclusion of the state vote count and the declaration of validity of the election for senators, the majority and validity certifications of the formulas for senator that had obtained the victory and the assignment certification to the registered formula in the first place of the party that by itself had achieved the second place in the state voting. In the case in which the members of any of the formulas who had obtained the victory were ineligible, no certification shall be issued, without prejudice to the rest of the registered formulas on the list of the party who had obtained the majority voting. If they were ineligible, the members of the registered formula in the first place of the party that by itself had achieved the second place in the voting, the certification shall be issued to the registered formula in second order on the corresponding list;

b) Place on the outside of the premises of the Council, the results of the state vote count;

c) Turn in to the Oficialía Mayor of the Senate a certified copy of the certifications issued to the formulas for senator that had obtained the victory by relative majority; the

assignment certification issued to the formula registered in the first place of the party that by itself had achieved the second place in the State voting; as well as a report of the filed appeals of inconformity;

d) Submit to the proper Court of the Federal Electoral Tribunal, along with the filing of the appeal of *inconformidad*, the notices of protest and the respective report, as well as certified copies of the records whose results were contested, and of the records of the state vote count, in the terms stated in the Second Title of the Seventh Book of this Code;

e) Turn in to the competent Chamber of the Federal Electoral Tribunal, along with the filing of the appeal of inconformity, the notices of complaint and the respective reports, as well as the certified copy of the affidavits whose results were appealed and of the affidavits of the State vote count.

f) Repealed.

CHAPTER FIFTH

The vote count of proportional representation in each circumscription

ARTICLE 258

1. The vote count of *plurinominal* circumscription is the sum of the results, conducted by each one of the Local Councils with residence in the capitals designated as headquarters of circumscription, annotated on the records of the respective district vote count, for the purpose to determine the votes obtained in the election for deputies by the principle of proportional representation in the circumscription.

ARTICLE 259

1. The Local Council, which resides in the capital headquarters of each plurinominal circumscription shall proceed to carry out the vote count of the regional lists of federal representatives elected by the principle of proportional representation, the Sunday following the election day, and count the vote referred to in the article 255 of this Code.

ARTICLE 260

1. The *plurinominal* circumscription vote count shall be subject to the following procedure:

a) The results shall be taken note of which are established on the records of district vote count of the circumscription;

b) The sum of these results shall constitute the vote count of the total votes cast in the *plurinominal* circumscription; and

c) The results of the vote count and the incidents which occur shall be established in the minutes of the session.

ARTICLE 261

1. The President of the Local Council, who resides in the capital headquarters of the *plurinominal* circumscription, must:

a) Publish, on the outside of the offices, the results obtained in the vote count of the circumscription;

b) Compile the file of the circumscription vote count with the files of the district vote count, which contain the original and certified records, the original of the record of circumscription vote count, the minutes of the session of

said vote count, and the report of the President about the development of the electoral process;

c) Submit, to the Court of the Federal Electoral Tribunal, along with the filing of the appeal of *inconformidad*, the notices of protest and the respective report, certified copies of the records which contain the contested results, as well as a certified copy of the record of circumscription vote count, and of the minutes of the vote count session, in the terms stated by the Second Title of the Seventh Book of this Code;

d) Repealed.

e) Submit to the General Director of the Institute, once the period for the filing of the appeal of *inconformidad* elapses, a certified copy of the record of circumscription vote count, and of the minutes of the session, and, if it is the case, a copy of the filed appeals, so he shall be able to present them to the General Council of the Institute, along with the respective certified copies of the district vote counts.

CHAPTER SIXTH

The certifications of proportional assignment

ARTICLE 262

1. In the terms of article 54 of the Political Constitution of the United Mexican States, the General Council of the Institute shall proceed with the assignment of deputies elected by the principle of proportional representation, according to articles 12 through 18 of this Code.

2. The General Council shall make the appointment referred to in the last paragraph, once the appeals filed in terms of Seventh Book of this Code are resolved by the

Federal Electoral Tribunal, which shall be no later than August 23rd of the election year (**October 23, 1994; in terms of the first paragraph, eighth transitory article; D.O. 24-IX-93**).

ARTICLE 263

1. The President of the General Council shall issue, to each political party, the certifications of proportional assignment, which he shall inform to the *Oficialia Mayor* of the Chamber of Deputies.

SIXTH BOOK

The Federal Electoral Tribunal

FIRST TITLE

Preliminary Provisions

ARTICLE 264

I. According to that stated in the thirteenth paragraph, article 41 of the Constitution, The Federal Electoral Tribunal is the autonomous and maximum jurisdictional authority in the matter of federal elections, which in terms of this Code is in charge of:

a) Filing and resolving in a definite and secure way, per the Seventh Book of this legislation:

I. The appeals submitted per the electoral process, in the stage of preparation of the election, against the acts and resolutions of the electoral bodies;

II. The appeals submitted according to the stated in the second and third paragraph, article 60 of the Constitution;

III. The appeals submitted along the extraordinary federal electoral processes;

IV. The appeals filed in the time between the two ordinary electoral processes for acts and resolutions of the electoral bodies;

V. The differences or labor conflicts that arise between the Federal Electoral Institute and its employees; and

VI. The differences or labor conflicts that arise between the same Tribunal and its employees;

b) Approving its own Interior Rules;

c) Carrying out activities for capacitation, research and divulgation of Electoral Law;

d) Formalizing agreements on collaboration with other courts, institutions and authorities for the improvement of its duties; and

e) The best proof its needs to function properly.

2. The Federal Electoral Tribunal by resolving the cases of its jurisdiction shall guarantee that the electoral acts and resolutions be subject undoubtedly to the principle of legality.

3. The Federal Electoral Tribunal shall work sitting en banc or in Chambers.

SECOND TITLE

EN BANC OF THE CHAMBERS EN THE MAGISTER OF THE TRIBUNAL

CHAPTER FIRST

THE TRIBUNAL EN BANC

ARTICLE 265

1. The Tribunal sitting en banc is formed by the primary judges of the Central Chamber and of the Regional Chambers. In order to be valid, the presence of at least two-thirds of its members is required. Its resolutions shall be valid with the simple majority vote of those attending.

2. The Tribunal sitting en banc has the following powers:

a) To elect, among the judges of the Central Chamber, no later than in the month of August of the year before the election (**October 1993; in terms of the first paragraph; eighth transitory article; D.O. 24-IX-93**), the President of the Tribunal who once elected shall preside over the Tribunal en banc;

b) To appoint or remove the General Clerk, on basis of the President's Tribunal suggestion;

c) To resolve the differences or conflicts with the Tribunal's employees when they had been suspended, removed or fired in their jobs, according to the Seventh Book of this Code and the Interior Rules of the Tribunal; and

d) To approve and modify, the Interior Rules of the Tribunal based upon the draft submitted by an ad hoc commission of seven judges, proposed by the President of the Tribunal en banc.

CHAPTER SECOND

THE CENTRAL CHAMBER

ARTICLE 266

1. The Central Chamber is permanent and formed with five judges whose sit in the Federal District.

2. The Central Chamber has jurisdiction to:

a) Resolve during the ordinary electoral processes the appeals of any nature established in this Code that were filed within the seat circumscription; as well as those filed against the acts and resolution of the General Council of the Federal Electoral Institute, in terms of the Seventh Book of this Code;

b) Resolve the appeals filed in terms of the Seventh Book in the time elapsed between two ordinary electoral processes;

c) Resolve all the appeals established in this Code, in the terms of the Seventh Book, during the extraordinary election processes;

d) Resolve the differences or conflicts referred to in Section V, clause a), article 264, according to the stated in article 337-A of this Code;

e) Overrule, supersede, the appeals not field or written by of third parties;

f) Approve and to resolve the excuses from the judges for not following the cases;

g) Entrust to the trial judges, secretaries and court clerks of the Central Chamber, the judicial procedures outside the courtroom;

- h)** Decide the time and date of the public hearings;
 - i)** Elect among the judges of each Regional Chamber an acting President for each electoral process, by the President's Tribunal suggestion;
 - j)** Appoint the trial judges and the General Clerk, by the President's Chamber suggestion;
 - k)** Request of the President's Tribunal the suspension, removal or firing of the General Clerk and the trial judges of the Chamber;
 - l)** Define the jurisprudencial criteria according to the established in articles 3 and 337 of this Code; and
 - m)** Determine and enforce, the penalties stated in the Third Title of the Seventh Book of this Code.
- 3.** Once elected the President's Tribunal, the corresponding alternate judge, shall be a member of the Central Chamber until the conclusion of the corresponding electoral process.
- 4.** During the electoral process, the President of the Central Chamber shall be the judge elected by its members, by suggestion of the President's Tribunal, no later than in September of the year before the ordinary electoral process (**November 1993; in terms of the first paragraph, eighth transitory article; D.O. 24-IX-93**), who shall be in charge until its conclusion.
- 5.** Once the electoral process is finished the President's Tribunal shall be a member of the Central Chamber on which he shall preside until the conclusion of his term or until a new President's Central Chamber is chosen for the next ordinary electoral process. In the case of extraordinary elections, the Central Chamber shall be formed in terms stated in the two previous paragraphs, until the conclusion of such elections.

6. To hold sessions validly by the Central Chamber, the presence of four judges is required. The resolutions shall be approved by majority vote and in case of a tie, the President's Tribunal shall have a quality vote.

CHAPTER THIRD

THE REGIONAL COURTS

ARTICLE 267

1. The Four Regional Chambers shall be installed no later than the week in which the ordinary electoral process begins and shall adjourn in September of the year that such process ends (**November 1994; in terms of the first paragraph, eighth transitory article; D.O. 24-IX-93**), they shall form every Chamber with three judges and fix their seats respectively in the four cities circumscription headquarters, different from the Federal District.

2. The Regional Chambers have jurisdiction to:

a) Pursue the proceedings and to resolve all the appeals established in this Code during the electoral processes that were filed at the seat of their plurinominal circumscription, per the Seventh Book of this Code;

b) Overrule, to supersede, to approve as not filed or not submitted, the appeals and writings of third parties or;

c) Appoint the General Clerk and trial judges, by the President's Chamber suggestion;

d) Approve and to resolve the excuses submitted by the judges for not following of a case, per the provisions of the Interior Rules of the Tribunal;

e) Request from the President's Tribunal, whenever applicable, the suspension, removal or firing of the general clerk and the trial judges of the Chamber;

f) Trust the trial judges, secretaries and clerks of the Chamber, to carry out the judicial proceedings performed outside the courtroom; and

g) Determine the time and date of their public hearings.

3. For holding validly sessions, the Regional Chambers shall require the presence of the three judges and their resolutions must be approved by majority vote.

CHAPTER FOURTH

The Appellate Chamber

ARTICLE 268

1. The Appellate Chamber shall be formed no later than the last week of the month of October of the previous year to the electoral process, in terms of the sixteenth paragraph, Section 41 of the Constitution (**last week of December 1993; in terms of the first paragraph; eighth transitory article; D.O. 24-IX-93**). It shall be installed for the beginning of its function in the third week of the month of July of the election year (**last week August 1994; in terms of the Section XXIV, eighth transitory article; D.O. 24-IX-93**) and shall conclude no later than September 30th (**November 30, 1994; in terms of the first paragraph, eighth transitory article; D.O. 24-IX-93**). Its sitting shall be the same as the Central Chamber.

2. According to the third paragraph of article 60 of the Constitution, the Appellate Chamber is competent for the appeal of reconsideration filed under the applicable provisions of the Seventh Book of this Code.

3. For holding valid sessions, the Appellate Chamber shall work with the presence of four magistrates and the President of the Tribunal among them. Its resolutions shall be approved by majority vote. In case of a tie, the President shall have the deciding.

4. The trial judges, secretaries and the rest of the judicial and administrative staff of the Central and Regional Chambers shall cooperate with the Appellate Chamber in the performance of its duties.

5. In the event of extraordinary elections, the Appellate Chamber shall be installed with the same elected magistrates who worked in the previous ordinary electoral process, allowing the necessary time opportunity for resolving the filed appeals of reconsideration. It shall conclude its hearings at the time of deciding the last case submitted or whenever there is a certification that any appeal was filed.

CHAPTER FIFTH

THE JUDGES AND MAGISTRATES

ARTICLE 269

1. The judges and magistrates of the Tribunal shall be elected by the House of Representatives or, by the Permanent Commission of the Congress of the Union, by suggestion of the President of the United Mexican States or by the Supreme Court of Justice accordingly, in terms of the seventeenth and nineteenth paragraphs of the article 41 of the Constitution.

2. The election of the judges and magistrates of the Tribunal shall be made through the following basis:

a) The President of the United Mexican States shall propose a list of at least two candidates for each one of the judges offices of the Central and Regional Chambers of the Tribunal;

b) From among those candidates, the House of Representatives shall elect the judges with the two-thirds votes of their present members; and

c) The proposals shall assign one candidate to each Chamber accordingly.

3. For filling the temporary or definite absences of the judges of the Central and Regional Chambers, six alternate judges shall be elected from the additional list submitted for that purpose by the President of the United Mexican States. In this case, the provision stated in the previous second paragraph shall apply . The definite absences of the judges shall be resolved in the order stated while electing the alternate judges by the House of Representatives or, in the case, by the Permanent Commission of the Congress of the Union.

4. The judges of the Central and Regional Chambers shall be elected no later than the last day of July of the previous year to the corresponding ordinary federal electoral process. The proposed candidates for judges shall fulfill the requirements established in article 76 of this Code.

5. The judges of the Central and Regional Chambers shall be elected to discharge their duties for eight years and may be reelected. The President of the United Mexican States shall propose their ratification or, if the case be, a new election per the previous paragraph 2.

6. The Chief Justice of the Supreme Court shall submit to the House of Representatives or, to the Permanent Commission of the Congress of the Union, a list of six candidates to fill least four positions for primary magistrates and two magistrates as alternates to the Appellate Cham-

ber, to be elected by two-thirds of the votes of the present members. If that majority is not reached, another list shall be submitted with new proposals for that purpose and if in this attempt the voting shall not reach either the required majority, the House shall proceed to elect them from among all the proposed candidates, by simple majority of the present representatives. The alternate magistrates shall fill the temporary or definite absences of the primary magistrates.

7. The four magistrates of the Appellate Chamber shall be elected for each federal electoral process.

8. The salaries received by the judges and magistrates shall be included in the Federal Expenditure Budget.

9. The magistrates of the Appellate Chamber as well as the judges of the Regional Chambers shall be paid only during the ordinary federal electoral processes or during the time they are on duty, according to the stated in the Federal Expenditure Budget.

10. The elected magistrates of the Appellate Chamber and the judges of the Regional Chambers shall have a right to a leave of absence in their permanent employments during the time on duty as judges or magistrates.

ARTICLE 270

1. The powers granted to the judges are the following:

a) To attend, participate and vote whenever that corresponds, in the public hearings and private meetings to which they are invited by the President of the Tribunal or Presidents of the Chambers accordingly;

b) To form the Chambers to resolve colegiately the cases under their jurisdiction;

c) To prepare the resolution drafts of the corresponding files addressed to them;

d) To expound in public hearing, personally or through a clerk, his or her resolution drafts, pointing out the legal considerations and provisions on which they are based;

e) To debate and decide the resolution drafts submitted for his or her consideration in the public hearings;

f) To submit dissenting opinions, if the case be, against the resolution drafts approved by majority and to request same be included in the file;

g) To request from the Chamber that his or her resolution drafts be included in the files as dissenting opinions whenever these were not approved by the majority;

h) To compile and revised the approved resolutions by the Chamber, when they were requested to do so;

i) To point out the contradiction of standards in the resolutions, according to the stated in article 337 of this Code;

j) To propose by the judges of the Central Chamber and by the magistrates of the Appellate Chamber, the wording and title of the thesis of defined jurisprudence per article 337 of this Code;

k) To be part of the Justice Commission whenever they were called for that purpose by the President of the Tribunal, according to the stated in this Code and the corresponding Interior Rules;

l) To perform teaching and researching tasks in the Tribunal; and

m) Anything deemed necessary for the sound function of the Tribunal.

ARTICLE 271

1. During the time that the judges and magistrates are on duty, they may not, under any circumstance, accept and perform any employment or job from the Federation, States, Municipalities or from private parties, excepting those honorary duties in scientific, teaching, literary or charity associations whenever this is compatible with the exercise of the judicial function.

2. The judges and magistrates of the Federal Electoral Tribunal shall be excused for knowing any case in which they might have a personal interest because of blood relationship, business affinity, close friendship or hatred that may harm their impartiality. The Chamber of the Tribunal shall decide immediately the said excuse.

3. The judges and magistrates shall have the duty to keep absolute possession over the cases and businesses of the Tribunal.

ARTICLE 272

1. Upon the request of the President of the General Council of the Institute, and with the endorsement of at least three more counselors or the President of the Federal Electoral Tribunal it be deemed respectively, that there is enough cause for removing one of the citizen counselors of the General Council of the Institute or the judges of the Tribunal, the President of the later shall proceed to form the Justice Commission.

2. The Justice Commission shall be formed by:

a) The President of the Federal Electoral Tribunal, who shall preside over it;

b) The two counselors representing the House of Representatives certified before the General Council of the Federal Electoral Institute;

c) Two citizen counselors of the General Council of the Federal Electoral Institute; and

d) Two judges or magistrates of the Federal Electoral Tribunal.

3. The removal of the citizen counselors of the General Council of the Institute, as well as of the judges of the Tribunal shall proceed whenever they commit grave misdeeds against the proper discharge of their duties.

4. The Justice Commission shall preserve the right to be heard and its resolutions shall be definite and sound.

TITLE THIRD

Regardin their function

CHAPTER FIRST

The President of the Tribunal

ARTICLE 273

1. The President of the Tribunal shall be elected by the Tribunal sitting en banc per article 265 of this Code and he or she shall reside last three years in office and may be reelected.

2. The President of the Tribunal shall have the following powers:

a) To represent the Tribunal, sign agreements, grant all kind of powers and to carry out the legal and administrative acts required for the good standing of the Tribunal;

- b)** To preside over the sessions of the Tribunal, the Appellate Chamber, and the Central Chamber, as well as conducting the debates and to keep the order in them. When the public attendant does not behave, properly he or she may order the meeting to take place in private;
- c)** To propose the Tribunal, en banc, the appointment of the General Clerk, and to agree with the Presidents of the Central and Regional Chambers, the candidates for trial judges and the general secretaries;
- d)** To appoint the administrative secretary, the staff members and personnel of the coordinating bureaus of the Tribunal, the clerical administrative personnel and the legal expertise and administrative personnel of the Appellate Chamber;
- e)** To fill the temporary or definite absences of the Chambers of the Tribunal with alternate judges, in the order established by the House of Representatives or the Permanent Commission of the Congress of the Union at the time of their election or selection;
- f)** To oversee the enforcement of the resolutions made by the Tribunal en banc, the Appellate Chamber and the trial judges accordingly;
- g)** To send the mail received from the Tribunal and from the Appellate Chamber;
- h)** To prepare and send the annual budget draft of the Tribunal to the recipient of the Executive Branch or through the channel that the later wishes;
- i)** To appoint, in conjunction with the Presidents of the Central and Regional Chambers, the secretaries, judicial clerks and legal expertise personnel of the Chambers and to oversee that such Chambers have enough manpower, financial and material resources for their good operation;

- j)** To call for internal meetings by the judges and magistrates of the Tribunal, the trial judges and the rest of members of the legal and administrative personnel;
- k)** To take the proper measures to coordinate the jurisdictional and administrative functions of the Chambers of the Tribunal;
- l)** To send the files to the respective judges and magistrates of the Tribunal for their resolution drafts, according to the established procedure in the Internal Rules of the Tribunal;
- m)** To request any report or document from the Federal Electoral Institute, or the federal, state or municipal authorities that may be useful for the judicial proceedings or resolution of the files, but always within the established terms of the Code;
- n)** To order in extraordinary cases, to perform any judicial proceeding be commenced or any evidence produced, but always within the terms established in this Code;
- o)** To render before the Tribunal sitting en banc or the members of the Appellate Chamber a report at the end of each electoral process, giving account of the Tribunal business and of the principles adopted through their resolutions, and to order its publication;
- p)** To decree, whenever appropriate, the suspension, removal or firing of the Administrative Secretary, heads of the Coordinating Bureaus and the rest of the legal expertise and administrative personnel of the Tribunal; of the trial judges or general secretaries by petition of the Chambers or the secretaries, judicial clerks and the rest of the legal expertise personnel of the Chambers by petition of their Presidents;
- q)** To preside over and to form the Justice Commission, per in this Code and in the corresponding Interior Rules;

- r)** To take the necessary measures for the installment and working of an Electoral Judicial Capacitation Center;
- s)** To decide the competent business with the Administrative Secretary, with the head of the coordination bureau of capacitation and Documental Center and with the head of the communication bureau;
- t)** To settle the guidelines for the selection, capacitation, appointment and promotion of the personnel of the Tribunal, taking into consideration the principles of impartiality, objectivity and professionalism;
- u)** To oversee the enforcement of the provisions set by the Internal Rules of the Tribunal; and
- v)** Anything else deemed necessary for the good standing of the Tribunal.

CHAPTER SECOND

The President of the Chambers

ARTICLE 274

1. The Presidents of the Central and Regional Chambers have the following powers:

- a)** To represent the Chamber in the territorial range of its jurisdiction and to sign agreements and to carry out legal and administrative acts with the consent of the President of the Tribunal, if they are required, for the good standing of the Chamber;
- b)** To preside over the Chamber, to conduct the debates and to keep order during same. When the public assistant does not behavior properly, they may clear the courtroom and meet in private;

- c)** To oversee the enforcement of the resolutions of the Chamber and the decisions of the trial judges;
- d)** To propose the Chamber, with the consent of the President of the Tribunal, the appointment of trial judges and of the general clerk and to designate, with the same consent of the President of the Tribunal, to the secretaries, judicial clerks and the rest of the legal and administrative personnel of the Chamber;
- e)** To follow the proceedings before the President of the Tribunal about needs for manpower, financial and material resources for the good standing of the Chamber;
- f)** To forward the mail of the Chamber;
- g)** To oversee the means and time of approving the resolutions of the Chamber;
- h)** To inform the President of the Tribunal during the electoral process, daily, and by the means viable, of the functioning of the Chamber, the number and type of appeals received, the files and their stage of proceeding and those ready for resolution, the judges writing the Chamber's opinions and their resolutions. The President of the Central Chamber shall keep the President of the Tribunal informed in a permanent way about the activities performed;
- i)** To render a report of activities containing the main resolutions approved to the Chamber and the President of the Tribunal;
- j)** To call for a public hearing, and to keep judicial meetings private too;
- k)** To inform the President of the Tribunal about the temporary and definite absences of the judges and about the excuses they submit;

l) To turn to the judges of the Chamber the completed files for prepared the resolution draft, according to the Internal Rules of the Tribunal;

m) To request, by petition of a trial judge or a judge, that if the President of the Chamber considers it convenient, any report or document kept by any of the bodies of the Federal Electoral Institute or by federal, state or municipal authorities, useful for the completion or resolution of the files, but always so that this request does not interfere with the time limits established in this Code;

n) To order the carrying out of a judicial proceeding or the completion of evidence in extraordinary cases, always that this does not interfere with the time limits established in this Code;

o) To request of the President of the Tribunal, whenever it is procedent, the suspension, removal or firing of the secretaries, judicial clerks and remaining legal expertise and administrative personnel of the Chamber;

p) To send to the President of the Tribunal, the judicial archives of the Chamber, when the electoral process concludes;

q) To cooperate in the identification and clasification of the standards of the rulings sustained by the Chamber;

r) To oversee the enforcement of the Internal Rules of the Tribunal; and

s) Anything else deemed necessary for the good standing of the Chamber.

CHAPTER THIRD

The trial judges

ARTICLE 275

1. The Central and Regional Chambers of the Tribunal shall each have, at least eight trial judges during the electoral process.

ARTICLE 276

1. The powers granted to the trial judges of the Chambers are:

a) To admit the appeals and inconformities as well as the writings from the third parties, whenever they meet the requirements established in this Code;

b) To submit to the Chamber the overruling decisions for the appeals that were found grossly improper and obviously superficial;

c) To submit to the Chamber the decision of having not filed the appeals and inconformities and for not submitting the writings of the third parties whenever they do not meet the requirements established in this Code;

d) To submit to the Chamber the decision to send a file to the archive, as a case finally and absolutely concluded, to those appeals and inconformities that were filed five days before the election and that do not have any relation to any inconformity;

e) To determine and resolve the joinder of appeals and inconformities so as to determine the precedent nexus under the stated in article 332 of this Code;

f) To enlist the necessary requirements for the proceedings of the files in terms of the Seventh Book of this Code, and to ask the President of the Chamber to request any report or document that is in possession of the bodies of the Federal Electoral Institute or of federal, state or municipal authorities and could help for the proceedings of the files, but always so that this request does not interfere with the time terms established in this Code;

g) To send requisition letters to the federal or state judges asking them to hold a judicial proceeding outside the courtroom;

h) To fulfill the remaining tasks requested of them by the President of the Tribunal, the Chamber or its President, within the scope of their jurisdiction, and for the good standing of the Tribunal.

ARTICLE 277

1. The trial judges shall meet the following requirements:

a) Be a Mexican citizen in full exercise of his political and civil rights;

b) Be at least 30 years-old at the time of his or her appointment;

c) Have held a law degree for at least three years;

d) Not to fulfill or have fulfilled any office of popular election in the last six years; and

e) Not be or have been a national, state or municipal leader of any political party in the last six years.

2. The salary received by the trial judges shall be the one stated in the Federal Expenditures Budget.

3. The trial judges shall keep an absolute possession about the cases and business of the Tribunal.

CHAPTER FOURTH

The General Clerk of the Tribunal and the general secretaries of the Chambers

ARTICLE 278

1. The General Clerk of the Federal Electoral Tribunal shall have the following powers:

- a)** To collaborate with the President of the Tribunal in the requested tasks;
- b)** To submit, to conduct the voting and to issue the affidavit of the sessions and hearings of the Tribunal sitting en banc, of the Appellate Chamber and, of the Central Chamber;
- c)** To verify the filing of the resolutions of the Appellate Chamber and, of the Central Chamber;
- d)** To control the cases corresponding to resolution of which magistrates of the Appellate Chamber and of the Central Chamber;
- e)** To control the substitutions of judges of the Chambers;
- f)** To oversee the workings of the party officials of all the Chambers, according to the stated in the Internal Rules of the Tribunal;
- g)** To oversee that the notifications were made timely and in the way prescribed for the Appellate Chamber and the Central Chamber;

h) To oversee the workings of the judicial archives of the Tribunal sitting en banc and of the Chambers and its appropriate transference and conservation;

i) To decide, with the previous consent of the President of the Tribunal, the general guidelines for the identification and filing of the cases;

j) To authorize with his or her signature the proceedings of the Tribunal sitting en banc and those of the Appellate Chamber and the Central Chamber;

k) To issue the certificates of the Tribunal as a whole or sitting en banc, of the Appellate Chamber and Central Chamber;

l) To take account of the adopted thesis of jurisprudence;

m) The rest entrusted by the Tribunal sitting en banc, the President of the Tribunal, the Appellate Chamber and the Central Chamber.

2. At the conclusion of the ordinary electoral processes, the General Clerk shall side with the Central Chamber, except in the cases of extraordinary elections.

3. The general secretaries of the Central and Regional Chambers are empowered to:

a) Participate in the Chamber sessions, conduct the voting of the judges and issue the corresponding affidavit;

b) Submit in the public hearings those files that were not assigned to any judge;

c) Check up on the approved resolutions by the Chamber;

d) To take the cases corresponding to resolution of which judges shall make a draft;

- e)** Turn into the trial judges the appeals and inconformities and revision, having the corresponding control of which each judge should draft;
- f)** Coordinate the trial judges, according to the guidelines issued by the Chamber and its President;
- g)** Oversee the due workings of the party officials of the Chamber;
- h)** Oversee the due integration of the files, according to the guidelines issued by the General Clerk of the Tribunal;
- i)** Oversee the due working of the judicial archive as well as its transference to the President of the Tribunal, according to that stated in the Internal Rules and the guidelines of the General Clerk;
- j)** Supervise the notifications to be made in the time and way prescribed by the Code;
- k)** Authorize with his or her signature the proceedings of the Chamber;
- l)** Issue the certificates required; and
- m)** The remainder entrusted to him or her by the Chamber or its President.

ARTICLE 279

- 1.** The General Clerk must fulfill the requirements necessary to be a trial judge, and shall receive the salary stated in the Federal Expenditure Budget.
- 2.** The general secretaries of the Chambers must meet the same requirements necessary to be trial judge, except as to age, to be at least 28 years-old, and shall receive a salary stated in the Federal Expenditure Budget.

3. The General Clerk and the general secretaries shall have the duty to maintain confidence about the cases and business of the Tribunal.

CHAPTER FIFTH

The Administrative Secretary and the Heads of Coordination Bureaus of the Tribunal

ARTICLE 280

1. The Administrative Secretary shall be subject directly to the President of the Tribunal and shall be in charge of all matters related to manpower, financial and material resources of the Tribunal and of the Chambers. He or she shall receive the salary stated in the Federal Expenditure Budget.

2. In each Chamber there shall be an administrative officer who will help the Administrative Secretary of the Tribunal in the functions entrusted to him or her.

ARTICLE 281

1. The Coordination Bureaus of the Federal Electoral Tribunal shall be in charge of the capacitation, research, documentation and divulgation functions, as well as those regarding communication. Their heads shall be subject directly to the President of the Tribunal and shall receive the salary stated in the Federal Expenditure Budget.

CHAPTER SIXTH

The Judicial Electoral Capacitation Center

ARTICLE 282

1. The Judicial Electoral Capacitation Center shall be in charge of teaching courses, seminars and all kind of academic activities, as well as researching electoral Law and its procedures, according to the budgetary resources of the Tribunal.

2. The judges and magistrates, trial judges, heads of the coordination bureaus, secretaries and all the legal expertise personnel shall participate in the activities organized by the Center, always respecting the corresponding duties.

CHAPTER SEVENTH

The secretaries and the staff

ARTICLE 283

1. The secretaries of the Chambers of the Tribunal shall meet the following requirements:

- a) Be a Mexican national, in full possession of his or her political rights;
- b) Be at least 25 years-old, at the time of his or her appointment; and
- c) Hold a law degree.

2. The secretaries and judicial clerks shall have the powers stated in the Internal Rules of the Tribunal and shall receive the salary stated in the Federal Expenditure Budget.

3. The judicial clerks shall be mexican citizens in full possession of their rights, to have a good reputation and to have, at least, the document corresponding to the completion at a law education.

ARTICLE 284

1. The trial judges, the secretaries and the rest of the staff personnel of the Federal Electoral Tribunal shall behave with impartiality, and shall advance the principle of legality in all the proceedings in which they participate in their official status.

2. The secretaries, judicial clerks, legal and administrative personnel shall have the duty to keep maintain absolute confidence about the cases and businesses of the Tribunal.

3. All the employees of the Tribunal shall be entrusted with confidence and they have no tenure. The President of the Tribunal shall state the guidelines by which, previous to the suspension, removal or firing of any of them, they may have a hearing. Once the sanction is decreed, the involved employee may raise a petition to the Tribunal sitting en banc under article 337-B of this Code.

ARTICLE 285

1. The proceedings that should be held outside of the courtrooms of the Federal Electoral Tribunal may be performed by the trial judges or by the secretaries and judicial clerks of the same Tribunal.

2. The proceedings may also be held with the help of the federal or state courts.

SEVENTH BOOK

The invalidations, the system of forms of objection; and the administrative sanctions

FIRST TITLE

The invalidations

CHAPTER FIRST

The cases of invalidation

ARTICLE 286

1. The invalidations, established in this Title, may affect the total votes cast in a polling place, and by consequence, the results of the district vote count of the contested election; or the election in a uninominal electoral district for the formula of relative majority representatives; or the election in a state for the formula of senators by the principle of relative majority or the assignment of the first minority. For the objection to the plurinominal circumscription vote count it shall follow the procedure

stated in Section IV, clause a), paragraph 1, article 295 and clause d), paragraph 2, article 302 of this Code.

2. The effects of the invalidations decreed by the Federal Electoral Tribunal with respect to the total votes cast in a polling place or for an election in a uninominal electoral district, for a state, shall be contained, exclusively, to the voting or election to which the inconformity has been expressly filed.

ARTICLE 287

1. The votes cast in a polling place shall be invalidated when the following grounds are verified:

a) To open the polling place, without just cause, in a different place than what is stated by the corresponding District Board;

b) To deliver, without justified cause, the package which contains the electoral files to the District Council, outside of the periods that this Code states;

c) To carry out, without justified cause, the preliminary and revised vote count in different premises than that determined by the respective District Board;

d) To receive the votes on a different date than that stated for the holding of the election;

e) The receipt of the votes by different persons or entities than those authorized by this Code;

f) To have committed fraud or error in the counting of the votes, which benefits one of the candidates, or *fórmula* of candidates, and this is the determining factor for the outcome of the vote;

g) To permit voting without Credential to Vote, or to permit to vote those whose names do not appear on the voter

registration list (except those cases of exception noted in paragraph 5 of article 218 and article 223 of this Code), and only if it is the determining factor for the outcome of the vote;

h) To have impeded access to the delegates of the political parties or to have them expelled, without justified cause;

i) To exercise physical violence or pressure over the members of the poll board or over the voters, and only if these acts are the determining factors for the outcome of the vote.

j) To be proven that, without a justified cause, the citizens' right to vote was abridged and for that reason, the election results were affected.

ARTICLE 288

1. The causes of invalidation of an election for deputy for relative majority in a *uninominal* electoral district are the following:

a) When one or more of the stated causes in the previous article are verified in, at least, 20% of the polling places; and

b) When the polling places are not opened in 20% of the sections and, consequently, the votes have not been cast.

c) When the two members of the candidates formula were ineligible.

ARTICLE 289

1. The causes of invalidation of the election for senators of a state or territory are the following:

a) When any of the causes of invalidation stated in article 287 of this Code may occur in at least 20% of the sections of the corresponding State or territory; or

b) When no polling place is placed in the 20% of the sections of the corresponding State or territory and, by consequence, no voting was received; or

c) When the two members of the candidates formula were ineligible. In this case, the invalidation shall affect the election only in respect to the formula or formulas whose candidates were ineligible.

ARTICLE 290

1. The election in an electoral district or a state shall only be declared invalid when the causes that are invoked have been fully verified and they are the determining factors for the outcome of the election.

2. The Chambers of the Federal Electoral Tribunal may declare the invalidation of an election for federal representatives or senators whenever substantial violations had been committed in a generalized way, during the election day in the corresponding district or in the State or territory, and it shall be proven that such violations were definite for the results of the election, excepting when the irregularities were accountable to the party who filed the invalidation.

ARTICLE 291

1. The political parties cannot file an appeal or invoke any cause for invalidation, or complain for any act or circumstance that the same party had wrongly provoked.

CHAPTER SECOND

The effects of declaration of invalidation

ARTICLE 292

1. The elections whose vote counts, certifications of validity and majority or of assignment were not appealed in the time and way prescribed, shall be considered valid, definite and sound.

ARTICLE 293

1. In the case of the ineligibility of candidates for deputies of proportional representation, whoever follows on the list corresponding to the same political party shall take the place of the candidate declared not eligible.

SECOND TITLE

The System of Forms of Objection

CHAPTER FIRST

Preliminary Provisions

ARTICLE 294

1. During the time elapsed between the two federal ordinary electoral processes, the citizens, the political parties and the political organizations and groups shall have with the following forms of objection, in the terms stated in this Title:

- a)** The appeal of revision that the political parties may file against acts or resolutions of the district or local bodies of the Institute;
- b)** The appeal by itself that the citizens may file against the acts or resolutions of the Offices of the Federal Register of Voters, once the administrative claim has been decided according to article 151 of this Code;
- c)** The appeal by itself that the political parties may file against the resolutions upon the appeals of revision, against the acts or resolutions of the central bodies of the Institute, against the resolution referred to in the clause g), paragraph 2, article 49-A and to attack the report made under paragraph 4, article 158 of this Code, per paragraph 5 of the same article; and
- d)** The appeal by itself that the political organizations or groups may file only whenever their register as, political parties has been denied.

2. Repeal

ARTICLE 295

- 1.** During the electoral process, in order to guarantee the legality of the acts, resolutions, and electoral results, the following forms of objection are established:
 - a)** Appeal of revision which the political parties may file against the acts or resolutions from the district or local bodies of the Institute;
 - b)** Appeal by itself during the stage of preparation of the election, that may be filed:
 - I.** By the citizens, to challenge the acts of the Offices of the Federal Register of Voters, once they have tried the administrative stage referred to in article 151 of this Code;

II. By the political parties, to challenge the resolutions decided upon the appeals of revision, the acts or resolutions of the General Council of the Institute, the resolution to which the clause g), paragraph 2, article 49-A of this code, refers to, and to attack the report mentioned in paragraph 3, article 159 of this Code, per paragraph 4 of the same article;

c) Appeal of inconformity which the political parties may file a challenge to:

I. The nullification of the voting in one or more polling places, or the results stated in the affidavits of the district vote count for the presidential election;

II. The causes of invalidation established in this Code, the declaration of validity of the election for federal representatives by the principle of relative majority and by consequence, the granting of the corresponding certification of majority and validity;

III. The causes of invalidation established in this Code, the declaration of validity of the election for senators and by consequence, the granting of the corresponding certifications of majority and validity, or the certification of assignment of first minority; and

IV. The mistakes in the calculations the district vote counts of the presidential election and of the relative majority representatives, the vote counts of the State or territory of the elction for senators and the vote counts of plurinominal circumscription.

d) The appeal of reconsideration, in terms of the third paragraph, article 60 of the Constitution, that only the political parties may file in the cases stated in the paragraph 2, article 323 of this Code, in order to challenge:

I. The resolutions dealing with the main arguments issued by the Chambers for resolving the appeals of incon-

formity, whenever some claims have been advanced by which a resolution may be decided, affecting the result of the election; and

II. The assignment of federal representatives by the principle of proportional representation made by the General Council of the Institute.

2. Repealed.

3. Repealed.

ARTICLE 296

1. The notice of complaint by the results contained in the affidavit of preliminary and revised vote count of the poll board is a form of objection to establish the existences of presumed violations during the election day as well as a requirement for the further filing of the appeal of inconformity.

2. The notice of complaint shall not be required whenever is the filing of an appeal in terms of clauses b) and c), article 247, or when the cause of invalidation is argued, according to article 287, paragraph 1, clause b), both provision stated in this Code, or when a form of objection is used against mistakes in the calculation of the district vote count of the presidential election and relative majority representatives, of State vote count of the election for senators or of vote count of plurinominal circumscription.

3. The notice of protest must contain:

a) The political party which presents it;

b) The poll board before which it is presented;

c) The election that is protested;

d) The cause by which the notice is submitted; and

e) Moreover, when the notice of protest is presented before the corresponding District Council each one of the polling places at issue must be individually identified and it shall also fulfill what is stated in the previous clauses c) and d); and

f) The name, the signature and party office of whom presents it.

4. The notice of complaint shall be submitted before the poll board of the polling place at the end of the preliminary and revised vote count or before the corresponding District Council, before the session referred to in paragraph 1, article 246 begins.

5. The functionaries of the polling place or of the District Council, before which the notices are presented, must acknowledge receipt of the presentation of the notice of protest or certify the receipt of a copy of the respective notice.

ARTICLE 297

1. During the electoral process all the days and hours may be worked. The periods of work are to be carried out, continuously, as the law requires.

2. In the cases of a contested act or resolution, the periods of work shall be calculated from the day following the corresponding notice, except for what is established in article 307.

ARTICLE 298

1. The employees of the Federal Electoral Institute may sue before the Central Chamber of the Federal Electoral Tribunal, per article 337-A of this Code, whenever they have been sanctioned or fired from their positions.

2. The employees of the Federal Electoral Tribunal may file in conformity with the terms stated in article 337-B of this Code and the concerning provisions of the Internal Rules of the same Tribunal, whenever they have been sanctioned, removed or fired from their positions.

CHAPTER SECOND

The authority, legal capacity, and standing to sue

ARTICLE 299

1. During the time elapsed between two federal ordinary electoral processes, the following bodies are competent to resolve:

- a)** The appeal of revision by the Executive Board hierarchically superior to the authority that issued the challenge act or resolution; and
- b)** The appeal by itself of the the Central Chamber of the Federal Electoral Tribunal.

2. The Central Chamber of the Federal Electoral Tribunal is competent to resolve the differences or conflicts referred to in paragraph 1, article 298 of this Code, at any time.

ARTICLE 300

1. During the electoral process, the following bodies are competent to resolve:

- a)** The appeal of revision by the corresponding Council of the Institute which is hierarchically superior to the authority which issued the challenge act or resolution;

b) The appeals by itself and inconformity with the Central or Regional Chamber of the Federal Electoral Tribunal with jurisdiction over the plurinominal circumscription to which the accountable electoral authority belongs, for having decided the challenge act or resolution; and

c) The appeal of reconsideration by the Appellate Chamber of the Federal Electoral Tribunal.

ARTICLE 301

1. The filing of the all the aforementioned appeals passes to the political parties through their legal representatives. The political organizations and groups may file the appeal by itself through their legal representatives only in the cases stated in Articles 31, paragraph 2; 33, paragraph 6 and 294, paragraph 1, clause d) of this Code. The citizens may file the appeal by itself in the cases established in this Title.

2. By "legal representatives of the political parties" this means the following:

a) Those formally registered before the bodies of the Institute. In this case, they can only act on their behalf before the authorities to which they are registered;

b) The members of the national, state or municipal committees corresponding to the district headquarters or their equivalents. In this case, they shall prove their standing through their appointment made per the statutes of the party; and

c) Those authorized to act as representatives the through public notary's contract of mandate, granted by the leaders of the party empowered by statute to sign that contract.

3. The filing of the appeal of reconsideration corresponds exclusively to the political parties through:

- a) The representative who filed the appeal of inconformity against the attacked resolution;
- b) Their representatives before the Local Councils of the Federal Electoral Institute that corresponds to the seat of the Chamber of the Tribunal whose resolution is appealed; and
- c) Their representatives before the General Council of the Institute to challenge the assignment of federal representatives by the principle of proportional representation.

CHAPTER THIRD

The periods for filing

ARTICLE 302

1. The appeals of *revisión* and *apelación* must be filed within three days, immediately, from the day following that in which the referred act or resolution is known or has been notified.

2. The appeal of inconformity shall be filed:

a) Within four days from the day next to the one in which the corresponding district vote count finishes, to challenge the results contained in the corresponding affidavit for the presidential election, in the cases stated in sections I and IV, clause c), paragraph 1, article 295 of this Code;

b) Within the four days from the next one to the day the district vote count finishes, to challenge the election of the relative majority, in the cases stated in sections II and IV, clause c), paragraph 1, article 295 of this Code;

c) Within the four days counted from the next day to the one that the State or territory vote counts finish, to challenge the elections for senators, in the cases stated in sections III and IV, clause c) paragraph 1, article 295 of this Code; and

d) Within four days counted from the next day to the one that the plurinominal circumscription vote counts finish, to apply for the correction of the results stated in the corresponding affidavit for having committed mistakes in the calculation of the votes.

3. In all the events, appeals and challenge shall be identified by pointing out the violations in the results stated in the affidavits of the district and State vote counts, as well as by identifying individually the presumed invalidated voting polling places in the elections for majority representatives, senators or President of the United Mexican States and, the district to which they belong. Likewise, the mistake committed in the plurinominal circumscription vote count shall be determined.

4. The appeal by itself shall be filed by the citizens, within the three days next to the one in which they were notified the resolution by the corresponding Office of the Federal Register of Voters or to the one that the deadline referred to in paragraph 5, article 151 of this Code finishes.

ARTICLE 303

1. The appeal of reconsideration shall be filed:

a) Within three days from the day next to the one in which the challenge resolution containing the main arguments in the case had been notified by the Central or Regional Chamber; and

b) Within forty-eight hours following from the adjournment of the session in which the General Council of the

Institute had made the assignment of representatives by proportional representation.

ARTICLE 304

1. During the time elapsed between two ordinary electoral processes, the appeals of revision and by itself that they were filed are ruled by the principles established for the electoral process.

CHAPTER FOURTH

The notices

ARTICLE 305

1. The notices may be made, personally, in a courtroom, by official letter, by certified mail or by telegram, according to what is required for the efficiency for notifying about the act or resolution in question, providing for the express disposition of this Code.

2. The courtrooms are the assigned places in the offices of the bodies of the Institute and of the Courts of the Federal Electoral Tribunal. The copies of the documents of filing of the appeal and of the resolutions which relate to it, shall be posted in these courtroom for purposes of notice.

ARTICLE 306

1. The personal notices shall be made to the interested party, no later than, the day following that which the act was made or the resolution was dictated. Only those notices shall be understood as personal which have that character established by the present Code.

2. The documents of personal notice must contain: The description of the relevant act or resolution, place, time, and date in which it was made, and the name of the person to whom this notice is presented to. In case that the notice is refused to be accepted by this person, this fact shall be established on the document.

ARTICLE 307

1. The political party whose representative has been present in the session of the body of the Institute which did the act or resolution, shall be understood as being automatically notified of the corresponding act or resolution for all legal effects.

ARTICLE 308

1. The resolutions which relate to the appeals of *revisión* shall be notified in the following way:

a) To the political parties which do not have certified representatives, or in case of nonattendance of the representatives at the session in which the resolution is dictated, the resolutions shall be notified to them, personally, in the domicile they indicate or through the courtrooms;

b) To the body of the Institute whose act or resolution was contested, the resolution shall be made by personal notice or by certified mail. Along with the notice, a copy of the resolution of the appeal shall be attached; and

c) To interested third parties, by certified mail.

ARTICLE 309

1. The resolutions of the Courts of the Federal Electoral Tribunal relating to the appeals of *apelación*, shall be notified to the corresponding Councils of the Institute, as well as to whoever has filed the appeal, and, if it is appli-

cable, to the interested third parties, by certified mail or by telegram or personal notice, no later than, the day following that in which the resolutions are pronounced.

2. A copy of the resolution shall be sent along with the notice to the bodies of the Institute whose act or resolution was contested.

ARTICLE 310

1. The resolutions of the Courts of the Federal Electoral Tribunal following from the appeals of inconformidad, shall be notified:

a) Personally, to the political party which filed the appeal and to the third parties whenever they have established a domicile located in the seat of the corresponding Chamber, or by "estrados" in the rest of the cases. The notice shall be communicated no later than the following forty-eight hours of when the resolution was approved;

b) By written notice, to the General Council of the Institute enclosing a certified copy of the file and of the resolution, no later than forty-eight hours after the resolution was approved; and

c) To the Major Office of the corresponding Chamber of the Congress of the Union, no later than forty-eight hours after the resolution was approved.

2. The resolutions of the Appellate Chamber of the Federal Electoral Tribunal approved upon the appeals of reconsideration shall be notified:

a) Personally, to the political party which filed the appeal and to the third parties, whenever they have mentioned a domicile located in the Federal District or the seat of the Chamber whose resolution was attacked; or by "estrados" in the rest of the cases. The notice shall be delivered or

made no later than the two days following the one on which that the resolution was approved;

b) To the Major Office of the corresponding Chamber of the Congress of the Union, no later than the next day to which the resolution was approved.

c) To the General Council of the Federal Electoral Institute than the day following that day stated in the resolutions.

3. The Federal Electoral Tribunal may give notice at any time, according to the paragraph 1, article 297 of this Code.

ARTICLE 311

1. The acts or resolutions that are made public through the Official Journal of the Federation or through the journals or periodicals of national or local circulation, or by means of the posting of documents in the courtrooms of the bodies of the Institute and the Courts of the Tribunal or in public places, in the terms of this Code, shall not require personal notice and they shall be given effect the day following the publication or posting.

CHAPTER FIFTH

The parties

ARTICLE 312

1. There shall be parties in the procedure to carry out an appeal:

a) The actor, who has the legal status in the terms of the present Code, who files it;

b) The authority, that shall be the body of the Institute that made the act or dictated the resolution which is contested; and

c) The interested third party, who shall be the political party that has a legitimate interest in the case, derived from a right incompatible with the one claimed by the actor.

2. The candidates may participate as co-adjuncts of the political party that made the register, according to the next rules:

a) They shall submit in writing their manifestations based on Law, but whatever argument enlarges or reforms the dispute established in the appeal or in the original complaint as third party already submitted by their political party shall not be taken into consideration;

b) The writings shall be submitted within the terms established for the filing of the appeals or, if the case be, for the submission of the complaints of the third parties;

c) The writings shall be enclosed with the document by which his or her register as a candidate of a political party is certified;

d) They may offer and show evidence within the terms established in this Code, whenever that evidence is linked to the facts and claims relative to the appeal filed or in their writing submitted by their political party; and

e) The writings shall be signed by proper hand.

SIXTH CHAPTER

The improper and superseded appeals

ARTICLE 313

1. The secretaries of the corresponding body of the Institute and the competent Chamber of the Federal Electoral Tribunal may disregard at the outset those appeals deemed obviously superficial or whose overruling is evident from the application of the provisions of this Code.

2. In all event, the overruling of the appeals shall be considered evident when:

a) They were not filed in writing before the organization of the Institute or the Chamber of the Tribunal, whomever issued the act, approved the resolution or made the vote count that is appealed;

b) Their writings were not signed properly;

c) They were filed by people without standing to sue or legal interest in the terms of this Code;

d) They were submitted once the terms stated in this Code were finished;

e) The evidence was not given in the terms established in this Code, except when justified explanations were given by the plaintiff. If the appeal is circumscribed only to legal arguments, no evidence shall be required;

f) The notices of complaint were not submitted on time or they did not fulfill their requirements established in this Code, for the admission of the appeal of inconformity;

g) They were not specific in the claims addressed or being specific they did not have any direct link to the act, resolution or election result that is contended;

h) More than one election may be challenge by one single appeal; and

i) In the appeal of reconsideration, the forms of objection have not been employed in the time and way prescribed in this Code, or the claims were not duly founded or were not decisive for the resolution, or the results of the election were not modified because of the provision stated in paragraph 2, article 323 of this Code.

ARTICLE 314

1. It applies to supersede the appeals when:

a) The plaintiffs expressly stop their course of action;

b) During the proceedings of an appeal by itself, the citizen plaintiff dies or is suspended in the exercise of his or her political rights;

c) The electoral authority modifies or revises the attacked act or resolution so that the appeal becomes meaningless; and

d) During the proceedings causes for overruling the appeal stated in article 313 of this Code appeared.

ARTICLE 315

1. The files of the appeals of *revisión* or *apelación* may be joined in which the same act or resolution is, simultaneously, contested by two or more political parties.

2. The Courts of the Federal Electoral Tribunal may join the cases of appeals of *inconformidad* which, in their judgment, merit it.

3. The Appellate Chamber shall review the appeals of reconsideration that it deems proper.

CHAPTER EIGHTH

Rules of procedure for the appeals

ARTICLE 316

1. For the filing of the appeals the following requirements shall be complied with:

- a)** They shall be submitted in writing before the body of the Institute or the Chamber of the Tribunal that issued the act or approved the resolution;
- b)** They shall have the name of the actor and domicile in order to receive notices; if the petitioner omits the referred domicile, the notices shall be presented in the courtrooms;
- c)** In case that the petitioner does not have certification of legal status in the body of the Institute before which he files, the documents shall be brought by him in which to be certified;
- d)** To expressly identify the challenge act or resolution and the electoral authority or the responsible Chamber of the Tribunal;
- e)** To expressly and clearly state the claims for the attacked act or resolution as well as the provisions presumably violated and the facts in which the appeal is based;
- f)** To offer the evidence enclosed for the first appeal writing, to mention that evidence which will be offered in within the legal terms and to request the evidence that

should be required by the Tribunal, when the plaintiff has shown that the evidence was requested in time and form to the competent authority and still has not been delivered; and

g) To certify the name and the proper signature of the plaintiff.

2. In the case of an appeal of inconformity, besides the requirements stated in the previous paragraph, the following additional ones shall be fulfilled:

a) The challenged election shall be identified, pointing out whether the objection goes expressly to either the vote count, the declaration of validity of the election and by consequence, or the granting of the corresponding certifications. In any case one appeal may challenge more than one election;

b) The individual mention in the affidavit of the district, State or plurinomial circumscription vote count that is contested;

c) The individualized mention in the polling places, whose voting is requested to be invalidated in each case and the cause that is argued for every one of them; and

d) The account, if it is applicable, of the other objections related to the appeal.

3. In the appeal of reconsideration, besides the requirements stated in clauses from a) to g), paragraph 1, of this article, the facts and argumentations shall be clearly stated by which the outcoming resolution may change the result of the election. In the case of the appeal of reconsideration, the result of an election is considered to be changed when the resolution decided by the Appellate Chamber has the following effects:

a) To invalidate the election;

- b)** To overrule the invalidation of the election;
 - c)** To recognize the victory of another candidate or formula different from the original;
 - d)** To assign the senatorial party by the first minority to a different candidate or formula; or
 - e)** To correct the assignment of representatives by the principle of proportional representation made by the General Council of the Federal Electoral Institute.
- 4.** In the appeals of revision, by itself or in conformity:
- a)** When any of the stated requirements is omitted from the clauses c) to e), paragraph 1 and from the clauses a) to c), paragraph 2, both of this same article, the secretary of the organization of the Institute or the trial judge of the competent Chamber shall require by "estrados" from the plaintiff, the omitted requirement to be fulfilled under contempt to supersede the appeal if the plaintiff does not fulfill it in forty-eight hours counted from the time that he or she is requested to do so, except in those cases stated in paragraph 5 of this article;
 - b)** When the requirement established in the section f), paragraph 1, of this article is omitted, the rule from the previous clause shall apply, excepting when the appeal deals only with a legal argument and no evidence has been offered or given to prove otherwise;
 - c)** When the plaintiff does not point out the legal foundations of his or her appeal or they are cited mistakenly, the authority of the Institute or the Chamber of the Tribunal shall resolve the appeal by taking into consideration the correct legal provisions or those that should be applicable to the case; and
 - d)** When there are faulty arguments of but which may can be deduced clearly from the exposed facts of the

appeal, the Chamber shall not supersede it but it shall resolve it with the elements taken from the file.

5. In the appeal of reconsideration, the rules established in the previous paragraph shall not apply nor any evidence shall be admitted unless it is in file.

ARTICLE 317

1. The appeals of *revisión*, of *apelación*, and of *inconformidad* shall be filed before the body of the Institute that carried out the act or dictated the resolution, within the periods stated by this Code.

2. The appeals of reconsideration shall be filed within the time terms stated in this Code before the Chamber of the Federal Electoral Tribunal that approved the challenged resolution or before the General Council of the Institute when the assignment of representatives by the principle of proportional representation is challenge.

3. In the cases stated in the clause g), paragraph 2, article 49-A; in the paragraph 5, article 158 and in the paragraph 4, article 159 of this Code, the appeal by itself before the General Council of the Institute shall be subject to the rules established in this Title for its proceedings, filing and resolution. The secretary of the General Council may request from the commission of counselors established in the paragraph 6, article 49 of this Code, the required personal data and documentation to render a detailed report or to send them to the Central Chamber of the Federal Electoral Tribunal.

4. In any event, the submission of the appeals shall suspend the effects of the attacked acts or resolutions.

ARTICLE 318

1. The body of the Institute that receives an appeal of *revisión*, *apelación*, or of *inconformidad*, shall immediately

make it public knowledge by means of notices that shall be posted in the courtrooms.

2. Within the forty eight hours following the posting, the delegates of the third political parties interested, may submit the claims in writing that they deem proper.

3. The writing referred to in the previous paragraph shall fulfill the following requirements:

a) To state the name of the third political party interested and the domicile to receive notices; if the party omits the domicile, the notices shall be posted in the courtroom;

b) To exhibit the proper documents to prove the standing of the legal representative of the party, whenever he or she does not have it already recognized before the electoral authority;

c) To advise the public interest reasons on which the party is based upon and its concrete claims;

d) To offer the evidence enclosed in the first writing and request the evidence that shall be require through the Institute, whenever the plaintiff had not received it from his or her request to the electoral authority; and

e) To state the name and signature of the plaintiff.

4. In the case of the appeal of reconsideration, once this one has been received by the Chamber whose resolution have been attacked or by the General Council of the Institute, it shall make it public knowledge by means of notices that shall be posted in the courtrooms. The third political parties interested may only formulate in writing the claims considered to be proper within the forty-eight hours following to the posting of the notices. The corresponding Chamber or the General Council immediatly shall hand in the parties' writings, if the case be, to the Appel-

late Chamber and timely shall result notify, of the conclusion of the said time term.

ARTICLE 319

1. Once the period to which the paragraph 2, of the previous article refers is completed, the body of the Institute which receives any of the established appeals, shall turn to the competent body of the Institute or the Chamber of the Federal Electoral Tribunal, within the following forty-eight hours:

- a)** The document by which it is filed;
- b)** The copy of the document which contains the contested act or resolution or, if it is the case, certified copies of the corresponding records of the file related to the district, state, or *plurinominal* circumscription vote count of the contested election;
- c)** The evidence presented;
- d)** The remaining writings from the third parties;
- e)** A detailed report over the challenged act or resolution;
- f)** In the case of the appeal of *inconformidad*, the notices of protest that they have in their possession; and
- g)** The rest of the elements that are deemed necessary for the resolution of the appeal.

2. The detailed report which is referred to in clause e) of the previous paragraph, shall be rendered by the secretary of the Board or by the secretary of the Council of the Institute accordingly and it shall state:

- a)** Whether the plaintiff or the third party has standing to sue; and

b) The reasons and legal foundations that are deemed proper for supporting the legality of the challenged act or resolution.

3. In the case of the appeal of reconsideration, the Chamber of the Tribunal whose resolution had been challenged or the General Council of the Institute, shall turn immediately, apart from the time term referred to in paragraph 4 of the previous article, to the Appellate Chamber, the appeal in writing, its enclosed documents and the file complete in which the resolution had been included.

ARTICLE 320

1. Once received, an appeal of revision by the competent Council of the Institute, the President shall hand it to the secretary for certification of the fulfillment with the stated in articles 302 and 316, paragraph 1, of this Code. In all events, the stated in paragraph 4, of the same article 316, shall be applied.

2. If the appeal must be dismissed because of being clearly improper, or, contrarily, it has complied with all the requirements, the clerk shall proceed to formulate the corresponding draft opinion which shall be submitted to the Council in the first session which it holds after the appeal is received. In the said session, a resolution must be dictated which shall be modified by the clerk in the terms which the Council determines.

3. If the body of the Institute which sends the appeal omitted some requirement, the clerk shall bring it to the immediate attention of its President, so that he shall request the fulfillment of the requirement or requirements omitted. The appeal shall be resolved within the term of the previous paragraph. Nevertheless, it must be resolved with whatever elements the body has, no later than, the second session it holds after the receipt of the appeal.

ARTICLE 321

1. Once an appeal by itself is received by the corresponding Chamber of the Federal Electoral Tribunal, the procedure stated in the previous article shall be followed. The appeal shall be filed by a trial judge and the resulting case shall be turned over by the President of the Chamber to the corresponding judge in order to present the resolution draft in the public hearing.

ARTICLE 322

1. Once an appeal of inconformity is received by the competent Chamber of the Federal Electoral Tribunal, it shall be immediately be turned over to a trial judge who shall revise it as to whether it fulfills the requirements stated in this Book and accomplishes the provisions established in paragraph 4, article 316 of this Code.

2. In the cases in which the petitioner has indicated that he will present evidence within the filing period of the appeal, the admission of it shall be deferred until the presentation of that evidence or the expiration of the filing period.

3. If from the revision made by the trial judge, he or she finds that the appeal comes from any of the causes referred to in article 313 of this Code, or it is evidently superficial, the judge shall submit at once the proposed overruling resolution to the decision of the Chamber of the Tribunal. In the cases of superficial appeals, the Central Chamber of the Tribunal may fine the corresponding political party, in the terms of clause a), paragraph 1, article 342 of this Code. The Regional and Appellate Chambers shall immediately inform to the Central Chamber of those cases in which a political party submitted a superficial appeal.

4. If the appeal fulfills all the requirements, the trial judge shall decide the corresponding case, ordering the posting

of a copy in the courtroom of the Chamber of the Tribunal.

5. The trial judge shall carry out the necessary acts and judicial proceedings for the filing of the appeals of inconformity, so a final resolution may be reached.

6. Once the file compiled is by the trial judge, this shall be turned over to the President of the corresponding Chamber, so the resolution draft can be made and submitted to the decision of the Chamber.

ARTICLE 323

1. Once the appeal of reconsideration is received by the Appellate Chamber, this shall be turned over to the corresponding magistrate to review to against the requirements and whether the claims may indeed cause the modification of the corresponding election result. If the appeal does not fulfill such requirements, it shall be overruled at the outset by the Chamber. On the contrary, the magistrate shall proceed to make the resolution draft to be submitted to the decision of the Chamber in the corresponding public hearing.

2. The requirements for the filing of the appeal of reconsideration are the following:

a) That the resolution from the Central or Regional Chamber:

I. Had not taken into consideration the invalidation causes stated in this Code, that had been filed and duly proven in time and form, by which the result of the election may have changed; or

II. Had granted unduly the certification of majority and validity or assigned the first minority to a candidates formula different from the one originally assigned; or

III. Had unduly invalidated an election.

b) That the General Council of the Institute had assigned representatives by the principle of proportional representation, without taking into consideration the resolutions that had resolved the Chambers of the Tribunal; or it had made it contrary to the established formulas in the Constitution and in this Code.

ARTICLE 324

1. In the session of resolution, which must be public, the cases shall be discussed in the order in which they have been listed, according to the following procedure:

a) The magistrate who prepares the opinion shall present the case and the outcome of the resolution, stating the legal considerations and precepts on which they are founded;

b) The magistrates may discuss the opinion in turn;

c) When the President of the Court considers it sufficiently discussed, he shall submit it to a vote; and

d) The magistrates may dictate a dissenting opinion, which shall be incorporated to the case.

2. In extraordinary cases, the Court may defer the resolution of the listed case.

ARTICLE 325

1. The President of the Court shall have the obligation to order that the list of cases, which will be discussed in each session, be posted in the respective courtrooms, at least, twenty-four hours in anticipation.

2. The Courts shall determine the time and days of their public sessions.

ARTICLE 326

1. The President of the Court, by petition of the trial judge, may require from the various bodies of the Institute, or the federal, state, or municipal authorities, whatever report or document, in their possession, which can serve for the hearing of the cases, but just as long as this does not impede the resolution being made within the periods established in this Code.

2. The authorities must timely supply the reports or documents which are referred to in the previous paragraph.

3. In extraordinary cases, the President of the Chamber may order the carrying out of a judicial proceeding or the taking of evidence, considering always that such activities do not exceed the time limitations terms established in this Code.

4. For the enforcement of their resolutions, as well as to keep the order and respect in the courtroom, The Federal Electoral Tribunal may use the following legal sanctions:

a) Summons;

b) Warnings;

c) Fines for an amount up to one hundred times the general minimum wage daily in force in the Federal District; and

d) Use of the public force.

5. The judicial compulsion measures shall be applied by the Presidents of the Chambers of the Tribunal.

CHAPTER NINTH

The evidence

ARTICLE 327

1. In electoral matters documents and technical evidence can only be admitted when they do not required completion by its nature, conjectural and factual evidence.

2. Public documents used as proof include:

a) The official affidavits of the poll boards, of the district, State and plurinominal circumscription vote counts. These affidavits are official whenever they are originals signed or they are certified copies that are included in the files for each election;

b) Other original documents issued by the bodies of the Institute or electoral authorities in their jurisdiction;

c) The documents issued by the other federal, state and municipal authorities in their respective jurisdiction; and

d) The documents issued by those empowered by law and whose facts were certified by them.

3. Private documents are all those papers related to the electoral matter offered by the parties.

4. Technical evidence is all means of image reproduction to convince the judge of a contested fact. In these cases, the offerer shall mention the fact proved as well as the persons, places and circumstances appearing in that evidence.

5. Evidence by conjecture are the oral declarations from the parties, who were properly identified, stated in an affidavit before an authority or someone empowered to

produce a public document, explaining their declarations. The judge may make deductions from the proven facts.

ARTICLE 328

1. The evidence submitted and approved shall be weighed by the bodies of the Institute and by the Chambers of the Federal Electoral Tribunal, following the logic rules, the sounding analysis and the experience, as well as taking into consideration the specific rules stated in this article.

2. The public documents shall be irrebuttable presumptions of proof regarding the authenticity and truth in the facts contained, except when the contrary is equally proven.

3. The private documents, technical, conjectural and factual evidence only can be irrebuttable when in opinion of the bodies of the Institute, or the Chambers of the Federal Electoral Tribunal, the other elements contained in the file, as well as the facts, known truth and rational knowledge produce the conviction about their correctness.

ARTICLE 329

1. The petitioner shall present, along with his initial document or within the period for the filing of the appeals, the evidence which is in his possession.

2. No evidence presented outside of these periods shall be taken into account when resolving the appeal.

ARTICLE 330

1. Controvertible facts are the object of the evidence. The following shall not be the object of the evidence: the law, the evident or impossible facts, nor those facts which have been acknowledged.

2. He who contends an issue has the burden of proof. Also, he has the burden of proof, who negates an issue

when his negation includes the express affirmation of a fact.

CHAPTER TENTH

The resolutions

ARTICLE 331

1. The appeals of *revisión* must be resolved in public session by simple majority of the present members of the proper Councils of the Institute, in the first session that they hold after the presentation of the appeals, except for the case stated in the following article. These appeals must be resolved in a period, no greater than, eight days immediately from that when the appeals were presented.

2. The appeals of *apelación* shall be resolved by the simple majority of the members of the Courts of the Tribunal within the six days following that in which they are received.

3. The appeals of inconformity shall be resolved by the simple majority of the members of the Chambers of the Tribunal, in the order in which they are listed for each session, except if the Chamber agrees on its modification. All the appeals shall be resolved no later than August 10th of the election year (**October 10, 1994; in terms of the first paragraph, eighth transitory article; D.O. 24-IX-93**), but those referred to the election of representatives shall be resolved no later than the 5th, of the same month (**October 5th., 1994; in terms of the first paragraph, eighth transitory article, D.O. 24-IX-93**).

4. The appeals of reconsideration shall be resolved by simple majority of the members of the Appellate Chamber in the order in which they are listed for each session, except if the Chamber agrees on its modification. The

appeals of reconsideration referred to in the representatives elections by the principle of relative majority or to those contesting a vote count of plurinominal circumscription shall be resolved no later than August 19th of the same year (**October 19, 1994; in terms of the first paragraph, eighth transitory article; D.O. 24-IX-93**); the other appeals shall be resolved no later than three days before the day the Chambers of the Congress of the Union is inaugurated.

ARTICLE 332

1. All the appeals of *revisión* and *apelación*, filed within the five days previous to the election, shall be sent to the proper Court of the Federal Electoral Tribunal, in order that they shall be resolved together with the appeals of *inconformidad* which they are related to. The appellant must state the relation to the appeal of *inconformidad*.

2. When the appeals, which the previous paragraph refers to, do not have a relation with one of *inconformidad*, they shall be refiled as closed matters.

ARTICLE 333

1. The resolutions must be made clear, in writing, and shall contain:

- a) The date, place, and body of the Institute or Court of the Tribunal which dictates it;
- b) The summary of the disputed facts or points of law;
- c) The analysis of the stated injuries;
- d) The examination and evaluation of the offered, presented, and admitted documentary evidence, and, if it is the case, that evidence ordered by the Courts of the Federal Electoral Tribunal;

- e) The legal foundations of the resolution;
- f) The outcome; and
- g) The period for its completion.

ARTICLE 334

1. The resolutions which follow from the appeals of revision and of themselves shall have as a consequence the confirmation, modification or invalidation of the appealed act or resolution.

2. The resolutions which follow from the appeals by itself shall be definite and with no further legal remedy.

ARTICLE 335

1. The resolutions of the Federal Electoral Tribunal which follow from the appeals of *inconformidad*, may have the following effects:

a) To confirm the contested act;

b) To declare the invalidation of the votes cast in one or more polling places when the previous causes in article 287 of this Code are given and to modify, by consequence, the record of respective district vote count for the election of deputy by majority, and, if applicable, the record or records of district vote count and the record of state vote count for the election for senator;

c) To revoke the majority certification issued in favor of a *fórmula* of candidates for deputies or senators by the proper district or local councils; and to grant it to the *fórmula* of candidates which results as the winner, by consequence of the invalidation of the votes cast in one or more polling places in one or more districts; and to modify, as a result, the records of respective district and state vote count;

d) To invalidate the certification issued in favor of a formula or candidate to become a representative or senator by the competent District or Local Councils; to grant it to the candidate or formula of candidates winning as a result of an invalidation of the cast voting in one or, in various districts; and to modify, by consequence, the affidavits of the corresponding district and state vote counts;

e) To declare the invalidation of the election and to revoke the certifications issued by the district or local councils, when the given causes for invalidated are stated in Articles 288, 289 or 290, paragraph 2, of this Code;

f) To declare the invalidation of the voting cast in one or various polling places for the presidential election when the causes for invalidation stated in article 287 of this Code are shown, and to modify, by consequence, the affidavit of the corresponding district vote count; and

g) To correct the district vote counts of the presidential election, majority representatives, of the state and plurinominal circumscription vote counts when they are repealed by mistaken calculations.

2. In the cases referred to in the clauses b), c) and e) of the previous paragraph, the Chambers of the Tribunal may modify the corresponding affidavit(s) in the execution section to resolve the final appeals filed against the same election, in the same uninominal or State electoral district.

3. When in the execution section the causes of invalidation established in Articles 288 or 289 of this Code apply, as a result of the rejoinder of the resolutions approved in the various appeals, the competent Chamber of the Tribunal shall decide thereof, even though the decision was based upon a different request from the ones deriving of the individual appeals.

4. The resolutions which follow the appeals of inconformity and that are not repealed on time and form shall be rendered definite and without any further legal remedy.

ARTICLE 335-A

1. The resolutions regarding the merits decided by the Federal Electoral Tribunal which follow the appeals of reconsideration may have the following consequences:

a) To confirm the repealed act or resolution;

b) To modify or overturn the repealed resolution in the terms established in clauses from b) to f), paragraph 1, preceding article, when one of the causes stated in the clause a), paragraph 2, article 323 of this Code applies; and

c) To modify the assignment of representatives elected by the principle of proportional representation made by the General Council of the Institute, according to the stated in the clause b), paragraph 2, article 323 of this Code.

2. The resolutions that follow the appeals of reconsideration shall be definite and without any further legal remedy.

ARTICLE 336

1. The Courts of the Federal Electoral Tribunal may only declare the invalidation of the votes cast in one or more polling places or the invalidation of an election for deputy by relative majority or of senator or the invalidation of the *plurinominal* circumscription vote count, based on the stated causes in this Code.

ARTICLE 337

1. The decisions established by the Appellate and Central Chambers shall be binding in the following cases:

a) When the same standard is followed by three resolutions; and

b) When an appeal is resolved relating to contrary decisions of two or more Courts of the Tribunal.

2. The request to overturn a decision may be filed by a Court, by a magistrate of any Court, or by the parties.

3. Once the request to overturn, which is referred to in the previous paragraph, is received in the Central Court, the President shall turn over the matter to the corresponding magistrate, in order that he shall formulate the opinion for the overturning decision. This opinion shall be presented for discussion in public session, during which the rules stated in article 324 of this Code shall be followed.

4. The requests to overturn decisions may be filed at any time and the one which prevails shall be precedent, but the effects of it do not have retroactive character regarding earlier resolutions.

5. The President of the Federal Electoral Tribunal shall notify the Courts, immediately, of the decisions, which are referred to in clauses a) and b) of paragraph 1 of this article, and they shall be ordered published in the court-rooms. The Courts shall be obligated to follow these decisions following the moment of their notice.

6. The decisions established by the Central Court shall cease to be precedent, if they are overturned by a majority of four votes of the members of the Court sitting *en banc*. In the resolution which modifies a precedent decision, the reasons which this contrary decision is based upon shall be expressed. The new decision shall be precedent if any of the stated criteria are met in clauses a) and b) of paragraph 1 of this article.

7. When a decision which has been substained by the Appellate Chamber is contradictory to another resolved by the Central Chamber, the first decision shall prevail and declared be binding.

8. The Central Chamber shall publish the mandatory decisions within six months following the conclusion of the electoral processes.

CHAPTER ELEVENTH

The special proceedings

ARTICLE 337-A

1. The differences or conflicts between the Federal Electoral Institute and its employees shall be resolved by the Central Chamber of the Federal Electoral Tribunal according to the next procedure:

a) The employee from the Federal Electoral Institute who had been sanctioned or removed from his charge, may file an inconformity submitted directly before the Central Chamber of the Federal Electoral Tribunal, within fifteen working days following the one in which he or she receives the notice from the Federal Electoral Institute;

b) It is a requirement for this proceeding that the involved employee exhaust, in time and form, the previous stages and procedures established by the Professional Electoral Service Statute;

c) The formal writing of inconformity submitted by the employee shall have the following requirements:

I. To state the full name and domicile to receive notices;

II. To state the repealed act or resolution;

III. To state the claims caused by the repealed act or resolution;

IV. To explain the facts and legal argumentations on which the inconformity is based upon;

V. To offer the written proofs and to enclose the documents to it; and

VI. To sign the writing.

d) They are parties in the procedure the employee effected by the act or resolution and the Federal Electoral Institute. The employee shall act personally or through him or her legal representative and the Federal Electoral Institute shall do it through its legal representatives;

e) Once submitted the writing referred to in the aforementioned clause c), a certified copy shall be filed the Federal Electoral Institute within the three working days following the submission;

f) The Federal Electoral Institute shall answer within ten working days following the notification of the employee's writing;

g) A conciliatory hearing must take place with the taking of proofs and allegations within fifteen working days of the answer received from the Federal Electoral Institute;

h) The Central Chamber shall freely decide the admission of the evidence and the how to weigh such proofs, the manner of evaluating them per the logical and experiential rules, as well as the sounding reasoning;

i) The Central Chamber shall resolve in a definite way and without any further legal remedy, within the ten working days following the hearing referred to in clause g) of this article. In this case, the Central Chamber may meet in private if the type of conflict aired requires it. The

resolution shall be communicated through personal notice to the parties if they listed an address, if not the notice shall be posted in the courtroom; and

j) The consequences of the resolution of the Central Chamber may be to either confirm, modify or invalidate the appealed act or resolution. In the case that the resolution established is void the removal of the employee of the Federal Electoral Institute, the Institute may avoid the rehiring of the employee by paying an indemnity equivalent to three months of salary plus twelve days more per each year worked.

ARTICLE 337-B

1. The differences or conflicts between the Federal Electoral Tribunal and its employees shall be subject to the following procedure, besides that stated in the Internal Rules of the Tribunal:

a) The sanctioned employee may file a appeal inconformity before the Tribunal sitting en banc, within five working days of the one in which the employee was notified about the sanction, removal or firing;

b) A preliminary commission shall be formed by two judges and a trial judge to be appointed every three years by the Tribunal en banc, which shall perform all the proceedings required for reaching a resolution within a term no later than fifteen working days, from the time in which the documentation is received by the commission;

c) The preliminary commission shall submit to the Tribunal en banc a resolution draft within a term no longer than five working days from the day following the one that follows the term stated in the previous clause; and

d) The Tribunal en banc shall resolve in the same hearing in which the draft was submitted, except when additional

proceedings are required. The resolution shall be final and without further legal remedy.

THIRD TITLE

Administrative violations and sanctions

ARTICLE 338

1. The Federal Electoral Institute shall be aware of the infractions that are committed by the citizens against the paragraph 5, article 5 of this Code. The sanction shall be a fine for the amount of fifty to two hundred times the daily minimum wage in force for the Federal District. It shall be determined and, enforced by the Central Chamber of the Federal Electoral Tribunal, according to the procedure established in article 343 of this Code.

2. The federal Electoral Institute shall know about the infractions of Articles 131 and 326 of this Code, in the case that the authorities do not render in time and form, the information requested by the bodies of the same Institute or by the Federal Electoral Tribunal.

3. Likewise, the Institute shall discover the infractions and violations against the provisions of this Code, committed by the electoral authorities; applying the due sanctions which may include a warning, suspension, removal or fine up to one hundred days of minimum wage, per the terms established by the Professional Electoral Service Statute.

4. Once the infraction is discovered, the Institute shall file it and send it to the its superior to proceed accordingly.

5. The superior referred to in the previous section shall pass it, to the Institute, that is, the measures which it decided to apply for the case.

ARTICLE 339

- 1.** The Federal Electoral Institute shall be aware of the infractions which involve the notary publics due to the unfulfillment of the obligations that the present Code imposes upon them.
- 2.** Upon knowing of the infraction, the Institute shall put together a file, which shall be sent to the Association of Notaries or appropriate authority, in order that they shall proceed in the terms of the applicable legislation.
- 3.** The Association of Notaries or the appropriate authority must communicate to the Institute the measures which have been adopted in the case.

ARTICLE 340

- 1.** The Federal Electoral Institute shall be aware of the infractions which involve foreigners who, in any way, try to interfere or did interfere in political matters.
- 2.** In the case, in which the foreigners are in national territory, the Federal Electoral Institute shall inform, immediately, the *Secretary of State* for the consequences stated by law.
- 3.** In the case in which the foreigners are outside of the national territory, the Federal Electoral Institute shall inform the Ministry of Foreign Affairs for the consequences stated by the law.

ARTICLE 341

- 1.** The Federal Electoral Institute shall inform the Secretary of Government of the cases in which the ministers, priests, associations, churches or groups from any religion or belief:

- a)** Encourage the voters to vote in favor or against of a candidate or a political party, or to promote abstention;
- b)** Support financially to a political party or a candidate.

ARTICLE 342

1. The political parties, besides their responsibilities and their members or followers, may be sanctioned:

- a)** By a fine of 5 to 50 thousand times the general minimum wage in force for the Federal District;
- b)** By up to 50% of reduction of the allotments of the public finance for a determined period of time stated in the resolution;
- c)** By the total elimination of the public finance stated in the resolution;
- d)** By the suspension of its register as a political party; and
- e)** By the cancellation of its register as a political party.

2. The aforementioned sanctions may be imposed on political parties when they:

- a)** Fail to comply with the duties stated in article 38 and their applicable provisions of this Code;
- b)** Fail to comply with the resolutions or agreements reached by the Federal Electoral Institute or the Federal Electoral Tribunal;
- c)** Accept donations or economic gratuities from the persons or corporations that are not expressly endowed for that purpose, or that the parties apply for credit to the developing banks for the financing of its activities, con-

trary the provision stated in article 49, paragraphs 2 and 3 of this Code;

d) Accept donations or economic gratuities higher to the limits stated in article 49, paragraph 11, clause b), section III of this Code;

e) Fail to submit the annual reports or of the campaign in the terms and times terms established in article 49-A of this Code;

f) Exceed the upper limits of expenses during an electoral campaign, stated in article 182-A of this Code;

g) Commit any other infraction to those stated in this Code.

3. When the loss of register corresponds to one of the causes established in article 66, the rule of article 67 shall be followed.

ARTICLE 343

1. For the consequences stated in the previous article, the Federal Electoral Institute shall communicate the irregularities committed by a political party to the Central Chamber of the Federal Electoral Tribunal.

2. Once received the communication referred to in the previous paragraph, the Central Chamber shall summon the political party to answer in writing within five days and state its legal arguments and the evidence it wants to show in support. Only the authorized means of evidence shall be received according to article 327 of this Code, dealing with the accounting expertise evidence the Chamber shall decide whether or not to receive it. If the Chamber requires evidence of accounting expertise this shall be financed by the political party.

3. In all the cases in which the intervention of the Central Chamber is required by the General Council of the Institute, it shall turn over the information and documentation in its possession.

4. Once finished the time term referred to in the paragraph 2 of this article, the Chamber shall resolve within the following fifteen days, except when a delay is required because of the nature of the proofs.

5. The Central Chamber shall take into account the circumstances and the grave nature of the infraction to resolve and, if applicable, to determine the corresponding sanction. In case of a relaps a harder sanction shall be imposed.

6. The Chamber resolutions shall be final and without any further legal remedy.

7. The fines determined by the Central Chamber of the Tribunal shall be payed to the Federal Treasury fifteen days from the time of the notification. In case of opposition to the payment by charge of the responsible, the enforcement of the compulsive proceeding of seizure may be requested before the competent authority.

8. The stated sanctions in clauses b) to e), paragraph 1, article 342 shall be notified by the General Council of the Federal Electoral Institute for their enforcement.

ARTICLE 343-A

1. Whomever may violate the provisions of this Code upon the limits for the financing dispensations not coming from the public treasury, may be fined with an equivalent amount up to the double of the wrong dispensation. If there is a relaps, the amount of the fine may be increased at least two times more. The enforcement of the fine is established in article 343 of this Code and shall be followed.

EIGHTH BOOK

The election and formation of the Assembly of Representatives for the Federal District

FIRST TITLE

Preliminary Provisions

ARTICLE 344

- 1.** The election of the members of the Assembly of representatives of the Federal District is managed by the provisions of this Code, but if it is in opposition to this Book, what is directed by this Book shall be applied.
- 2.** In the election of the members of the Assembly the norms that regulate the commercial hiring of the times on the radio and television that the present Code establishes for the elections of federal deputies shall be established.
- 3.** The corresponding Executive District Ruling Body shall determine the upper limit of campaign costs for each one of the uninominal electoral districts in which they should elect a representative of the Assembly of the Federal Dis-

trict, applying in the conducive norms that the present Code establishes for the elections of the federal deputies.

ARTICLE 345

1. The Assembly shall be formed by 66 representatives elected in direct and secret voting of the citizens who reside in the Federal District.

2. The right of electing representatives to the Assembly corresponds to the citizens residing in the Federal District.

3. It is the obligation of the citizens, residing in the Federal District, to fill the offices of members of the Assembly which they are elected to.

ARTICLE 346

1. The demarcation of the 40 *uninominal* electoral districts for the election of the members of the Assembly, shall be the same demarcation in which the territory of the Federal District is divided for the election of federal deputies to the Congress of the Union who are elected by the principle of relative majority.

2. In case that the number of federal deputies, which the previous paragraph refers to, does not coincide with the number of Assembly representatives which need to be elected by relative majority, the General Council of the Federal Electoral Institute, shall make the corresponding revision.

3. For the election of the 26 representatives of the Assembly by the principle of proportional representation, a *plurinominal* circumscription is made which shall be the complete territory of the Federal District.

CHAPTER FIRST

The requirements of eligibility

ARTICLE 347

1. Requirements in order to be representative of the Assembly, besides those which are stated in the 7th article of this Code, are the following:

a) To be a native of the Federal District, or reside there with effective residence of six months before the date of the election;

b) Not to be Attorney of the Republic or Attorney General of Justice of the Federal District, unless he is definitively separated from his functions ninety days before the election;

c) Not to be circuit magistrate or district judge in the Federal District, unless he is definitively separated from his functions ninety days before the election;

d) Not to be magistrate of the Superior Tribunal of Justice nor of the Tribunal of Administrative Law Litigation of the Federal District, unless he is definitively separated from his functions ninety days before the election;

e) Not to be chief executive of the governmental organ of the Federal District, nor chief executive of administrative units, non-consolidated entities¹¹, or state enterprises of the public administration of the Federal District, unless he is definitely separated from his functions ninety days before the election; and

f) Repealed.

ARTICLE 348

1. The candidates for federal deputy, senator, or President of the United Mexican States may not be registered as candidates for representatives to the Assembly of the Federal District.

CHAPTER SECOND

The political parties

ARTICLE 349

1. The national political parties may participate in the election of the members of the Assembly in the terms of this Code.

2. The political parties which participate in the election of the members of the Assembly, must present the electoral platform related to the Federal District, in the terms of article 176 of this Code.

3. The pacts of coalition held by the political parties in order to participate in the elections in the Federal District for deputies to the Congress of the Union, shall also be recognized for the election of the members of the Assembly.

CHAPTER THIRD

The register of candidates and the election

ARTICLE 350

1. The ordinary elections of the members of the Assembly must be held on the same date as the election for federal deputies.

ARTICLE 351

1. In the election of the members of the Assembly, the norms contained in the Third and Fourth Books of this Code related to the Federal Register of Voters, shall be observed and the Credential to Vote and the voter registration lists shall be used in this election.

ARTICLE 352

1. The bodies of the Federal Electoral Institute, which have as their duty the organization of the process of the federal elections in the Federal District, shall, simultaneously, attend to whatever is related to the process for the election of the members of the Assembly.

ARTICLE 353

1. The petitions for register of the candidates for members of the Assembly by relative majority, shall be presented before the respective District Councils.

2. The petition for register of the list of candidates for members of the Assembly elected by the principle of proportional representation, shall be presented before the Local Council in the Federal District.

3. The petition for register of candidates for members of the Assembly must contain the data and meet the enumerated requirements in article 178 of this Code.

ARTICLE 354

1. The term for the register of candidates in the year of the election shall be:

a) For the members of the Assembly elected by the principle of relative majority, from the 1st to the 15 of april **(May 15th to 31, in accordance to the Seccion II of fourth transitory article: D.O. 23/XII/93);** and

b) For the members of the Assembly elected by the principle of proportional representation, from the 1st to the 15th to the 30th of april. **(May 1st to 15th, in accordance to the Seccion III of fourth transitory article: D.O. 23/XII/93);**

2. The candidacies for members of the Assembly by majority and by proportional representation shall be registered by *fórmulas* of candidates, each one made up by a primary candidate and an alternate candidate.

3. In order to obtain the register of the list of candidates for members of the Assembly by the principle of proportional representation, the political parties must certify, before the Local Council in the Federal District, the register of the 40 candidacies for members of the Assembly by the principle of relative majority.

ARTICLE 355

1. The representatives and the general representatives of the political parties, certified and registered for the federal elections, shall exercise the function of representatives in the elections for members of the Assembly, with the same rights, obligations, and responsibilities which this Code attributes to them.

ARTICLE 356

1. The General Council shall approve the model of the records of opening, and closing of voting, preliminary and revised vote count, and the record of formation of the documentation of the election for the members of the Assembly. It shall approve, as well, the model of ballots for this election.

ARTICLE 357

1. The ballots for the election for the members of the Assembly shall be printed according to the model which the General Council approves, and shall contain the following information:

- a) *Uninominal* electoral district;
- b) Mention of the respective election for representatives of the assembly;
- c) Color or combination of colors and emblem of the political party;
- d) Father's last name, mother's last name, and full name of the candidates;
- e) Only one circle for each political party in order to comprise the *fórmula* of candidates by relative majority and the list of candidates by proportional representation; and
- f) The printed signatures of the General Director and of the General Secretary of the Federal Electoral Institute.

2. The ballots shall have printed on them the list of the primary and alternate candidates by the principle of proportional representation nominated by each political party.

3. The colors and emblems of the political parties shall appear on the ballots in the order which corresponds to the age of their register.

4. In the case in which a coalition exists, the ballot shall contain the emblem or emblems and the color or colors of the coalition.

ARTICLE 358

1. For the election of the members of the Assembly, the District Councils shall supply to the presidents of the poll boards, in the terms of articles 207 and 208 of this Code, the ballots, documentation, approved forms, and corresponding ballot boxes.

ARTICLE 359

1. In the election for members of the Assembly, when the voters are outside of their section they shall vote in the special polling places and they shall follow the following rules:

a) If the voter is outside of his section, but within his district, he may vote for members of the Assembly by the principle of proportional representation. The President of the poll board shall give him the special ballot for the election for the members of the Assembly, establishing the inscription on the ballot, "*representación proporcional*", or the abbreviation, "R.P."; and

b) If the voter is outside of his district, but inside the Federal District, he may vote for members of the Assembly by the principle of proportional representation. The President of the poll board shall give him the special ballot for the election of the members of the Assembly, establishing the inscription on it, "*representación proporcional*", or the abbreviation, "R.P.".

CHAPTER FOURTH

The electoral results

ARTICLE 360

1. Concluding with the preliminary and revised vote count of the elections for federal deputies to the Congress of the Union, of senators, and if it is the case, President of the United Mexican States, the poll board shall carry out the preliminary and revised vote count of the election for the members of the Assembly in the terms of articles 229 and 230 of this Code.

2. The receipt of the electoral documentation by the District Council and the information of the obtained results in the polling places, shall be subject to rules established in articles 238 and 244 of this Code.

ARTICLE 361

1. Concluding with the district vote count of the elections for federal deputies to the Congress of the Union, of senators, and, if it is the case, of President of the United Mexican States, and according to the rules established for them in this Code, the electoral District Councils shall conduct the district vote count of the elections of the members of the Assembly, in the terms of articles 247 and 248 of this Code.

ARTICLE 362

1. Concluding with the vote count of the members of the Assembly, the District Councils must:

a) Send, to the Local Council, copies of the records of the election and of the records of district vote count, and a report related to this election;

b) Send, to the *Oficialía Mayor* of the Assembly, the relevant file along with a report about the election or certified copy of it, if the appeal of *inconformidad* has been filed; and

c) Send to the Central Court of the Federal Electoral Tribunal, the appeal of *inconformidad* when it has been filed, along with, the notices of protest and the respective report, as well as a certified copy of the file of the district vote count of the election whose results have been contested, in terms stated in the Second Title of the Seventh Book of this Code.

ARTICLE 363

1. The Local Council in the Federal District shall conduct the vote count of the election for members of the Assembly of Representatives of the Federal District according to the principle of proportional representation.

2. The previously stated vote count shall be done once the corresponding vote count for the election for senator has been concluded, and when the Local Council acts as a circumscription headquarters for the federal elections, it shall do it, after conducting the corresponding vote count of the deputies elected by the principle of proportional representation.

CHAPTER FIFTH

The majority certification and the assignments by proportional representation

ARTICLE 364

1. The Presidents of the District Councils shall issue, when the respective vote count is concluded, the majority

certifications to the candidates of the Assembly of Representatives who have obtained the majority of votes.

ARTICLE 365

1. The Local Council in the Federal District, based on the *plurinominal* circumscription vote count, referred to in article 363 of this Code, shall proceed with the assignment of the members of the Assembly elected by the principle of proportional representation, according to what is established in articles 258 through 261 of this Code.

ARTICLE 366

1. The declaration of validity and the granting of constancies of assignment forms to the principle of proportional representation, which shall be realized in the ends of the Section III of the constitutional Article 122, at the latest the 6th of September of the year of the election **(November 4th of the year of the election; pursuant to Section IV of the Fourth Transitional Article; D.O. 23/XII/93)**, and one time the resources that in the case would be interposed in agreement with the dispositions of the Seventh Book of this Code results, for that which the following shall be established:

a) If any political party has at least 30% of the votes in the Federal District and none reaches 34 or more majority certifications, each political party shall be granted from their list, the number of representatives required in order that the total of members which they shall have in the Assembly corresponds to the percentage of votes obtained; and

b) The political party that obtains the greater number of majority certifications and its voting is equivalent to 30% or more of the votes in the Federal District, representatives shall be granted to it from its list, in sufficient number in order to reach, by both principles, 34 representatives. In addition one more representative shall be given to it for

each 4 percentage points obtained over the 30% of the votes; and

c) The political party which obtains 34 or more relative majority certifications and whose votes are equivalent to 30% and up to 66% of the voting in the Federal District, shall be assigned from their list an additional representative for every four percentage points of votes that have been acquired over 30%. In this case, the total number of representatives by both principles shall not be greater than the amount which results, by adding to 34, the number of total assembly members from its list which were assigned to it for every four percentage points obtained over 30%.

ARTICLE 367

1. It is understood as "total votes cast", for purposes of the election for representatives to the Assembly by the principle of proportional representation, the total of votes deposited in the ballot boxes for the list of *plurinominal* circumscription.

2. The assignment of representatives by the principle of proportional representation shall be done in the Federal District according to what results from subtracting, from the total votes cast, the votes in the Federal District in favor of the political parties which did not obtain the 1.5% of the total votes cast for the corresponding list, and subtracting the invalidated votes.

ARTICLE 368

1. For the assignment of representatives by the principle of proportional representation, in the cases stated by clauses b) and c) of article 366, the procedure shall be as follows:

a) The number shall be indicated of corresponding representatives by the principle of proportional representation to the political party that obtained the majority of votes.

b) Once the assignment to the political party, that has the majority of votes, has been carried out, the assignment shall continue to the representatives by the principle of proportional representation corresponding to the remaining political parties, in accordance with the formula of simple proportionality.

ARTICLE 369

1. The formula of simple proportionality is composed of the following elements:

a) Natural quotient; and

b) Greater remainder.

2. Natural quotient is the result of dividing the votes in the Federal District, once the votes of the majority winning political party have been subtracted, by the number representatives left to be distributed elected by the principle of proportional representation.

3. Greater remainder is the highest remaining number among the remainders of the votes of each political party after having participated in the distribution of representatives by means of the natural quotient. The greater remainder must be used when there are still representatives left to distribute.

ARTICLE 370

1. In order to apply the formula, the following shall be observed:

a) Through the natural quotient, as many representatives shall be distributed to each political party which are con-

tained in the result of the application of the natural quotient.

b) After applying the natural quotient, if there are still representatives to distribute, they shall be assigned by the method of greater remainder, following the decreasing order of the remainders of votes not used by each of the political parties.

2. In all cases, in the assignment of representatives by the principle of proportional representation, the order of the regional list shall be observed.

ARTICLE 371

1. If a political party has obtained 1.5% of the votes in the Federal District, without reaching the assignment of representatives through the application of the natural quotient referred to in the previous articles, one representative contained on its list shall be granted to it. In this case, the corresponding party shall not participate in the distribution of representatives by the method of greater remainder.

2. The assignment, mentioned previously, shall be done before the granting of any representatives to the political parties which have the right to be benefitted by the application of the formula of simple proportionality.

CHAPTER SIXTH

The System of Forms of Objection

ARTICLE 372

1. In the election of the members for the Assembly, the corresponding norms contained in the Sixth and Seventh Books of this Code shall be applied.

2. The resolution of the chambers of the Federal Electoral Tribunal shall be notified in the following manner:

a) The relapse of the resources of nonconformity:

I. To the political party that interposes the resource and to the third-parties interested in the form and ends signaled in the subparagraph a) of paragraph 1 of Article 310 of this Code;

II. To the Local Council of the Federal District the notification shall be official, accompanied by a certified copy of the expedient and the resolution, at the latest within forty-eight hours following that which the resolution dictated; and

III. When the resource of reconsideration has not been interposed, to the Major Official of the Assembly of Representatives, at the latest within forty-eight hours following that which the time triumphed of its interposition.

b) The relapse of the resources of reconsideration:

I. To the political parties and third-parties interested in the form and ends signaled in the subparagraph a) of paragraph 2 of Article 310 of this Code;

II. To the Local Council of the Federal District, at the latest the day following to that in which the resolution dictated; and

III. To the Major Official of the Assembly of Representatives, at the latest the day following that which the resolution dictated.

3. All the resources of nonconformity that interposed against the elections of the representatives to the Assembly of the Federal District shall be resolved at the latest the 19th of August of the year of the election (**the 14th of October of the year of the election; pursuant to Sec-**

tion V of the Fourth Transitory Article; D.O. 23/XII/93).

4. All the resources of consideration interposed against the resolutions that overload the resources of the nonconformity in the election of representatives of the assembly of the Federal District shall be resolved at the latest the 3rd of September of the year of the election **(the 31st of October of the year of the election; pursuant to Section VI of the Fourth Transitory Article; D.O. 23/XII/93).**

5. All the resources of reconsideration interposed against the assignment, that according to the principle of proportional representation, the Local Council of the Federal District realizes shall be resolved at the latest the 13th of September of the year of the election **(the 11th of November of the year of the election; pursuant of Section VII of the Fourth Transitory Article; D.O. 23/XII/93).**

TRANSITORY ARTICLES OF THE DECREE FOR THE REFORM, ADDITION AND TO ABOLISH DIVERSE ARTICLES OF THE FEDERAL CODE OF ELECTORAL INSTITUTIONS AND PROCEDURES, PUBLISHED IN THE OFFICIAL DIARY OF THE FEDERATION THE 15TH OF AGOST 1990.

TRANSITORY ARTICLES

First.— The present Code shall become effective the day after its publication in the Official Journal of the Federation.

Second.— When the present Code becomes effective, the Federal Electoral Code of December 29, 1986, published on February 12, 1987, in the Official Journal of the Federation, shall be repealed, as well as its amendments and additions of December 18, 1987, published in the Official Journal of the Federation on January 6, 1988.

Third.— Files, assets, and resources of the Federal Electoral Commission and its technical bodies, the National Register of Voters, and the Commission of Radio-Broadcast shall be transferred to the Federal Electoral Institute. The National Register of Voters shall join the Executive Directive Board of the Federal Register of Voters establi-

shed in articles 85 and 92 of this Code. While the Federal Electoral Institute is being installed, the National Register of Voters shall continue carrying out the functions attributed to it by the Federal Electoral Code and shall fulfill the agreements made by the Federal Electoral Commission.

Fourth.— The General Director and the General Secretary of the Federal Electoral Institute, as soon as they are appointed, shall proceed to receive the files, assets and resources referred to in the previous article. Likewise, they shall take the necessary measures in order to initiate the operation of the Federal Electoral Institute, in the terms established in the present Code.

Fifth.— The Executive General Board shall dictate the bases in order to regulate the incorporation of the personnel who have been transferred to the Institute, as well as the form in which to recruit and to temporarily contract for the necessary new personnel. In all cases the labor rights of the transferred personnel shall be respected.

Sixth.— Once formed, the Executive General Board of the Institute shall immediately proceed with the creation of the draft of Statute of the Professional Electoral Service.

Seventh.— For the observance and application of article 168 and the rest referred to in this Code, the initial phase related to the operation of the Federal Electoral Institute shall be taken into account. The performance of the functionaries appointed for the electoral process of 1991 shall be considered as a first stage in order to enter the Corps of Directive Operation and the Corps of Technicians of the Institute. Likewise, for the holders of those offices, what the Statute of the Professional Electoral Service dictates, shall be followed.

Eighth.— While the Statute of the Professional Electoral Service is not issued for the 1991 elections, the members of the Executive Local Boards shall be elected by the General Council by absolute majority based on the proposals made by the General Director of the Institute.

In 1991, the Local Councils shall elect, by absolute majority, the members of the Executive District Boards from among the proposals made by the General Director.

The members of the Executive Local and District Boards must possess a good reputation and not have been convicted of any crime, except in the case of a non-intentional or negligent crime. The election of any member who does not fulfill this requirement, may be objected to in accordance with what is established in the Seventh Book of this Code.

Ninth.— For the observance and application of articles 119, 192, 193 and the rest relevant in this Code, the Councils and District Boards in order to decide, respectively, about the number, location, and formation of the poll boards, shall take into account the circumstances produced by consequence of the simultaneous creation of the new Electoral Census for the 1991 election, as well as the circumstances which occur from the process establishing the operations of the Federal Electoral Institute, in accordance with the decisions made by the General Council, which shall be in conformity with the provisions established in the present Code.

What is referred in the previous paragraph shall be managed by the application of articles 82, clause e), 102, 103, 105, clause c), 113, 114, and the rest relevant in this Code for the appointment of the citizen *consejeros*, as well as the application of articles 177, 178, 179 and the rest relevant in this Code in order to certify the requirements of eligibility for senators and for deputies by both principles.

Tenth.— For the 1991 federal election, a new Electoral Census shall be made. In the observance and application of the related norms to the Federal Register of Voters, the proper bodies shall take into consideration that the final voter registration lists must be distributed during the month of July 1991, and consider the circumstances related to the periods which require the necessary technical procedures in order to create the new Electoral Census.

For the documents of the Electoral Census, which include a photograph, the Federal Register of Voters, based on the technical evaluation that is conducted, shall determine whether to use or not to use photographs for the 1991 election.

Eleventh.— The administrative personnel working for the Tribunal of Electoral Litigation shall form part of the Federal Electoral Tribunal.

Twelfth.— The Commission of Justice established in article 274 of this Code, shall meet at the beginning of the 1991 federal electoral process, in order to issue its internal regulation in a term of not longer than 90 days.

Thirteenth.— For the 1991 federal elections, the same demarcation of the *uninominal* electoral districts and the *plurinominal* circumscriptions used for the 1988 elections shall remain.

Fourteenth.— For the 1991 federal elections, in the terms of articles 33 through 35 of the present Code, the General Council may convoke the organizations and groups in order to obtain the conditional register as political parties. For that purpose, it shall adjust the referred periods in the articles previously mentioned, so that the resolutions about the filed petitions may be made, at the latest, six months before the election.

Fifteenth.— The public financial support, referred to in clauses a) and b) of article 49 of this Code, shall be granted starting in 1992 in accordance with the results of the federal elections of 1991. During 1990 and 1991 the political parties shall continue receiving the public financial support established by the Federal Electoral Commission for 1989 through 1991.

The public financial support, established in clauses c) and d) of article 49 of this Code, may be granted for 1991, according to the decision of the Federal Electoral Institute; if not, the public financial support shall become effective in 1992.

Sixteenth.— While the Congress of the Union or the Chamber of Deputies issues the regulations in order to establish the rules and procedures for the election, or if it is the case, for the drawing of the *consejeros magistrados*, who must form the General Council of the Federal Electoral Institute, and of the magistrates of the Federal Electoral Tribunal, the following shall apply:

I. Election or drawing of *consejeros magistrados*:

a) The President of the Republic shall propose to the Chamber of Deputies, a list, of at least twelve primary candidates, and another of sixteen alternate candidates;

b) When the proposals are received, they shall be delivered, immediately, to the Commission of Government and Constitutional Points, which shall name a subcommission in order to verify the fulfillment of the requirements for each of the proposed candidates. The confirmation shall be objectively applied, so with this purpose, the requirements demanded by article 76 of this Code shall be verified with the records, reports and certifications of the appropriate authorities. If one of the proposals does not meet the requirements, the President shall be informed, immediately, by means of the *Secretaría de Gobernación*,

so that a new proposal may be delivered. The subcommission may interview the candidates proposed;

c) Once the confirmation, referred to in the previous clause, has been carried out, the subcommission shall present an opinion to the Commission of Government and Constitutional Points, which shall submit it for the consideration of the Chamber;

d) In the Chamber, the opinion of the Commission of Government and Constitutional Points shall follow the relevant regulatory procedure. If a drawing is necessary, it shall be done among all the candidates proposed who have not been elected. The procedure shall be applied, at first, to the primary candidates. In order to do that, the names of the candidates who will be in the drawing shall be placed in a ballot box, so that one of the Secretaries of the Chamber shall proceed to extract from the ballot box, one by one, the names of the necessary candidates, in order to complete the number of six. Then the same procedure shall be followed to draw the alternates;

e) When the election or, if it is the case, the drawing of the alternate *consejeros magistrados* is held, the Chamber of Deputies shall determine the order in which the appointed will substitute for the primary *consejeros magistrados* or will join the General Council according to what is stated in article 75 of this Code.

II. The election or drawing of magistrates:

a) The President of the Republic shall propose, to the Chamber of Deputies, each of the lists of primary candidates for the Central Court and each of the Regional Courts, and the lists of alternates for the Federal Electoral Tribunal. For the first list he shall propose no less than 10 candidates, and for each of the Regional Court lists, no less than, six candidates. The list of alternates must contain, as a minimum, twelve candidates;

b) For the election, or if it is the case, the drawing of the magistrates, it shall follow what the rules established in the previous part dictate, proceeding first with the election or drawing of the five magistrates of the Central Court, then, the three magistrates for each Regional Court, in order, and, finally, of the six alternates; and

c) When the election, or if it is the case, the drawing of the alternates is held, the Chamber of Deputies shall determine the order in which those appointed shall substitute for the primary magistrates.

TRANSITORY ARTICLE OF THE DECREE FOR THE REFORM, ADDITION AND TO ABOLISH DIVERSE ARTICLES OF THE FEDERAL CODE OF ELECTORAL INSTITUTIONS AND PROCEDURES, PUBLISHED IN THE OFFICIAL DIARY OF THE FEDERATION THE 3TH OF JANUARY 1991.

TRANSITORY ARTICLE

SINGLE.- The present reforms and addition shall become effective the day after its publication in the Official Diary of the Federation.

TRANSITORY ARTICLES OF THE DECREE FOR THE REFORM, ADDITION AND TO ABOLISH DIVERSE ARTICLES OF THE FEDERAL CODE OF ELECTORAL INSTITUTIONS AND PROCEDURES, PUBLISHED IN THE OFFICIAL DIARY OF THE FEDERATION THE 17TH OF JULY 1992.

TRANSITORY ARTICLES

ARTICLE SEVENTEENTH.- For the federal elections to be held from 1994, the following shall proceed:

I. A new pictured voting card shall be issued. In order to perform an updating and total renovation of the electoral poll whose technical procedures as well as the way in which the political parties participate in the supervision and oversight of these activities shall be adopted by the National Commission of Oversight of the Federal Register of Voters.

II. In the new cards the number of the district jurisdictions may be omitted with the purpose of making it useful for further electoral processes, in case of subdivision. The electoral sections shall receive a progressive number for each State and the Federal District.

ARTICLE EIGHTEENTH.- For the federal elections to be held in 1994 the following rules shall apply:

I. The duty for the citizens is required to go to the specified booths by the Federal Electoral Institute, to obtain their new pictured voting card by previously showing proper identification according to the authorized means stated in article 217 of this Code, or by procedures determined by the National Commission of Oversight. The certification delivery of the card, proving the citizen's identification was present shall remain in their corresponding file.

For the aforementioned purpose a wide campaign for calling and orienting the citizens shall be organized.

II. According to the calendar of activities established in this Code, the nominal lists shall be prepared for their revision by the political parties and the citizenry, considering two parts: 1) With the citizens whose new picture voting card had been obtained on or before the closing of the polling register ending on February 28, 1994; and 2) With the names of the citizens registered in the electoral poll that did not obtain their new pictured voting card.

III. The citizens may obtain at the mentioned booths their new picture voting card until June 12, 1994, whenever they were properly registered in the electoral poll. The nominal lists shall contain the information of the pictured citizen's cards updated until June 12, 1994. These lists shall be delivered to the Local Councils for their distribution to the District Councils and through them, to the poll boards.

IV. For the purpose of the paragraph 1, article 217 of this Code, the only citizens who can cast their vote are those with the pictured voting card whenever they show it in the election day, and their names are included in the nominal list of voters.

FIRST.- The present decree shall enter into vigor the day following its publication in the Official Diary of the Federation.

TRANSITORY ARTICLES OF THE DECREE FOR THE REFORM, ADDITION AND TO ABOLISH DIVERSE ARTICLES OF THE FEDERAL CODE OF ELECTORAL INSTITUTIONS AND PROCEDURES, PUBLISHED IN THE OFFICIAL DIARY OF THE FEDERATION THE 24TH OF SEPTEMBER 1993.

TRANSITORY ARTICLES

FIRST ARTICLE.- The present reforms shall be vigorously entered the day following their publication in the Official Diary of the Federation.

SECOND ARTICLE.- All the dispositions that are decreed by the present Decree are abolished, except those established in the Decree published in the Official Diary of the Federation the 17th of July of 1992.

THIRD ARTICLE.- In the federal election of 1994 there shall be elected, for each State and the Federal District, two senators of relative majority and one of the first minority of the Legislatures LVI and LVII of the Congress of the Union, who shall remain in function from the 1st of November of 1994 to the 31st of August of the year 2000.

For this election the political parties shall register a list with the two formulas of candidates of each federal entity. In the federal election of 1997, the Legislature shall elect one senator according to the principle of relative majority, who shall remain in function from the 1st of November of 1997 to the 31st of August of the year 2000. For this election the political parties shall register a list with a formula for candidates of each federal entity.

FOURTH ARTICLE.- The deputies that are elected to the LVI Legislature of the Congress of the Union shall remain in function from the 1st of November of 1994 to August 31st of 1997.

FIFTH ARTICLE.- The federal election to integrate the LVI Legislature of the Chamber of Deputies of the H. Congress of the Union, shall realize with based in the distribution of the uninominal districts and the five pluralnominal circumscriptions in which the country was divided for the federal electoral process of 1991. For the federal election of 1997, in which the LVII Legislature shall be integrated, shall be the new distribution of the uninominal districts based in the definitive results of the general census of the population of 1990.

SIXTH ARTICLE.- The political parties shall realize the modification of their previous statutes in the Article 27, including c) Section IV, of this Code, no later than within the 120 days following the vigorous entrance of the present Decree.

When the statutes of agreement with the anterior paragraph are modified, the political parties shall notify in writing the Federal Electoral Institute, within the thirty days following the vigorous entrance of these reforms. The name of the body that provisionally will be entrusted with the administration of their patrimony and financial recourse.

SEVENTH ARTICLE.- The public financing referred to in Article 49, paragraph 7 including e), shall be handed in by the political parties by the beginning of the year of 1994. The reports to which the subparagraphs a) and b) of paragraph 1 of the Article 49-A of this Code, shall be presented by the political parties within the times indicated for such effects, by the campaigns of the year of 1994, and the annual report, at the beginning of the proper year of 1994

ARTICLE EIGHTH.- The federal electoral process for 1994, for federal representatives, senators and President of the United Mexican States shall begin in the first week of the month of January of that year, rescheduling the dates stated in this Code for its development in two months after the established terms in the same Code.

The following are excepted from the rule stated in the previous paragraph:

I. The stated date the first paragraph of article 19 shall correspond to the third Sunday in August;

II. The time limits stated in paragraph 1 of article 146 of this Code shall encompass the months of January and February;

III. The stated date in paragraph 1, article 147 of this Code shall correspond to the last day of February;

IV. The time limits stated in the first part of paragraph 2, article 147 of this Code shall include from March 1st to election day; and the date stated in the final part of this paragraph shall correspond to the last day of February;

V. The stated day in the first part of paragraph 3, article 151 of this Code shall correspond to the last day of February; the stated date in the final part of the same paragraph shall correspond to May 1st;

VI. The stated date in paragraph 1, article 154 of this Code shall correspond to July 17th;

EIGHTH TENTH ARTICLE.- Repealed.

These entities (in spanish, *órganos desconcentrados*) are governmental agencies separate from the centralized government. The heads of these entities are appointed by the executive branch and are accountable to it. Their purpose, however, is usually public service oriented and not political.

VII. The stated date in paragraph 1, article 156 of this Code shall correspond to April 1st;

VIII. The stated date in paragraph 1, article 157 of this Code shall correspond to May 5th;

IX. The stated date in paragraph 2, article 157 of this Code shall correspond to May 9th;

X. The first stated date in paragraph 1, article 159 of this Code shall correspond to April the 1st; the second stated date in the same paragraph shall correspond to the last day of February; the term sated in the second part of this same paragraph shall conclude the last day of February, too; and finally, the last stated date in the mentioned paragraph shall correspond to April 1st;

XI. The stated date in paragraph 3, article 159 of this Code shall correspond to May 15th;

XII. The stated date in paragraph 3, article 164 of this Code shall correspond to May 15, 1994;

XIII. The stated date in paragraph 4, article 174 of this Code shall correspond to the third Sunday in August;

XIV. The stated term in paragraph 2, article 176 of this Code shall encompass the last ten days of February;

XV. The terms stated in paragraph 1, article 177 of this Code shall encompass:

a) For the register of representatives by the principle of relative majority, from May 15th to 31st, inclusive;

b) For representatives elected by the principle of proportional representation, from June 1st to the 15th, inclusive;

c) For senators, from May 1st to the 15th, inclusive; and

d) For President of the United Mexican States, from March 1st to the 15th, inclusive;

XVI. The stated term in the first part, clause a), paragraph 1, article 193 of this Code shall include the month of April, and the date stated in the same clause which shall correspond to the last day of February;

XVII. The stated term in the clause c), paragraph 1, article 193 of this Code shall include the month of May;

XVIII. The stated term in the clause d), paragraph 1, article 193 of this Code shall include the month of June;

XIX. The stated date in the clause e), paragraph 1, article 193 of this Code shall correspond to the last week of the month of June;

XX. The stated date in clause f), paragraph 1, article 193 of this Code shall correspond to July the 1st;

XXI. The stated date in clause e), paragraph 1, article 195 of this Code shall correspond to July the 1st;

XXII. The stated term in clause f) paragraph 1, article 195 of this Code shall include the first ten days of August;

XXIII. The stated date in paragraph 1, article 212 of this Code shall correspond to the third Sunday of August; and

XXIV. The stated week in paragraph 1, article 268 of this Code for the installation of the Appellate Chamber shall correspond to the last week of August.

NINTH ARTICLE.- The -executive Direction of the Federal Register of Voters shall put at the disposition of the citizens the formats to which the paragraphs 4 and 6 of the Article 151 refer, no later than within the thirty days following the vigorous entry of the present Decree (**thirty days following the 25th of September of 1993**).

TENTH ARTICLE.- For the effects of the Article 163 and that is referred to by the citizens having been inscribed in the Electoral Register during the years of 1991 and 1992, who do not go to the office or modules of the Federal Electoral Institute to obtain their Credential to Vote with photograph, later than the 30th of November of 1993, the Direction of the Federal Register of Voters shall proceed to cancel the respective solicitation conforming to the following:

a) The Executive Direction of the Federal Register of Voters shall elaborate the relations with the names of the citizens whose solicitation have been canceled, order them for the electoral section and alphabetically, at the end of which they may be handed into the political parties accredited before the District Commissions, Locals, and National Commissions of Vigilance, according to the corresponding, no later than the 31st of December of 1993 for their knowing and observations;

b) Said relations will be exhibited the 1st of January to the 28th of February of 1994, in the offices and modules of the Federal Electoral Institute and in the public places of the electoral sections that the District Commissions of Vigilance previously determines, finally which effects of

notification arise for stages of the interested citizens and these may have the possibility to newly solicit their inscription into the Electoral Register during the intense campaign that is referred to in paragraph 1 of the Article 146 of this code, or in the case, to interpose the recourse posted in the paragraph 6 of the Article 151 of this proper order; and

c) The reports of the credential of the citizens who solicit inscription in the Electoral Register may be canceled, in the terms of this Article, and shall be destroyed before the respective Commissions of Vigilance, no later than the 28th of February of 1994. In all cases, the citizen who finds himself in the position posed in this Article, shall be able to solicit again his inscription in the electoral Register in the ends and times posed in the Articles 146 and 147 of this Code.

FIRST TENTH ARTICLE.- For effects of the election of the magistrates of the Chamber of Second Instance of the Federal Electoral Tribunal referred to in paragraph 3 of the Article 269, the Presidency of the Supreme Court of Justice shall have arrived to the Chamber of Deputies or at the Permanent Commission of the Congress of the Union, the list of corresponding candidates, within the thirty days following the vigorous entry of the present Decree (30 days following the 25th of September of 1993).

SECOND TENTH ARTICLE.- The actual magistrates of the Federal Electoral Tribunal elected by the Chamber of Deputies of the Congress of the Union shall remain in their responsibilities, according the Decree published in the Official of the Federation the 3rd of October of 1990.

THIRD TENTH ARTICLE.- The obligatory criticisms by the Central Chamber of the Federal Electoral Tribunal, shall continue being applicable in which the established reforms do not oppose the reforms established in the present Decree.

FOURTH TENTH ARTICLE.- The Interior Rules of the Federal Electoral Tribunal shall be expedited and forwarded no later than the day before the federal electoral process of 1994 is initiated. In which, the regularly dispositions shall be vigorously observed.

FIFTH TENTH ARTICLE.- The seventeenth and eighteenth transitory Articles of this Code shall continue vigilantly in their ends, added to by the Decree published in the Official Diary of the Federation the 17th of July of 1992.

SIXTH TENTH ARTICLE.- The head of the Federal Executive Power is authorized because of the conduct of the Secretary of Hacienda and Public Credit, to realize the necessary hereinbefore mentioned transfers, to the effect of the Federal Electoral Institute and the Federal Electoral Tribunal may comply with their obligations and carry to completion the new activities that the present reforms and additions impose.

SEVENTH TENTH ARTICLE.- For that which the requirements are established by the Articles 88, paragraph 1, subparagraphs c) a i); 103 paragraph 1, subparagraph d) and 114 paragraph 1, subparagraph e), as such for so much to the suppositions posted in the Article 82 paragraph 1, subparagraph d) and e) 105 paragraph 1 subparagraph c), these shall not be applicable to the actual General Directors, Secretary General, Executive Directors and citizen counselors of the Local and District Councils of the Federal Electoral Institute. In the same form, and for the federal electoral process of 1994, the hypotheses posted in the subparagraph e) of the paragraph 1 of the Article 7 of this Code shall not be applied to these functionaries.

EIGHTH TENTH ARTICLE.- Repealed.

TRANSITORY ARTICLES OF THE DECREE BY WHICH DIVERSE ARTICLES OF THE FEDERAL CODE OF INSTITUTIONS AND ELECTORAL PROCEDURES ARE REFORMED AND ADDED TO, PUBLISHED IN THE OFFICIAL DIARY OF THE FEDERATION DECEMBER 23, 1993.

TRANSITORY ARTICLES

FIRST.- The present Decree shall enter in vigor the day following its publication in the Official Diary of the Federation.

SECOND.- All the dispositions that oppose the present Decree are repealed.

THIRD.- The representatives elected for the III Assembly of the Federal District shall last in their functions from November 15, 1994, to September 16, 1997.

FOURTH.-For the federal electoral process of 1994 the following dates and times shall rule:

I. The time signaled in the subparagraph d) of paragraph 1 of the Article 195 shall correspond to the last week of June;

- II.** The time signaled in subparagraph a) of Article 354 shall correspond from May 15th to the 31st inclusive;
- III.** The time signaled in subparagraph b) of Article 354 shall correspond from June 1st to the 15th inclusive;
- IV.** The time signaled in paragraph 1 of Article 366 shall correspond to November 4th of the year of the election;
- V.** The date signaled in paragraph 3 of Article 372 shall correspond to October 14th of the year of the election;
- VI.** The date signaled in paragraph 4 of Article 372 shall correspond to October 31st of the year of the elections; and
- VII.** The date signaled in paragraph 5 of Article 372 shall correspond to November 11th of the year of the election.

TRANSITORY ARTICLES OF THE DECREE BY WHICH DIVERSE ARTICLES OF THE FEDERAL CODE OF INSTITUTIONS AND ELECTORAL PROCEDURES ARE ADDED TO, REFORMED AND REPEALED, PUBLISHED IN THE OFFICIAL DIARY OF THE FEDERATION MAY 18, 1994.

TRANSITORY ARTICLES

FIRST ARTICLE.- The present Decree shall be entered in vigor the day following its publication in the Official Diary of the Federation.

SECOND ARTICLE.- The election of the Citizen Counselors of the General Council of the Federal Electoral Institute shall be realized by the Chamber of Deputies at the latest three days after the day of entrance in vigor of the present Decree.

THIRD ARTICLE.- The Citizen Counselors that shall act in the General Council of the Federal Electoral Institute for the federal electoral process of 1994, shall last in their post until November 30, 1994, and shall be able to be ratified. The LVI Legislature of the Chamber of Deputies of the H. Congress of the Union shall proceed to ratify, or

in the case to name, the citizen counselors for the period 1994-2002 in their first period of ordinary sessions of the first year of their exercise.

FOURTH ARTICLE.- The Magistrate Counselors that actually integrate the General Council of the Federal Electoral Institute, shall continue in their position, until when the Citizen Counselors may be named, that shall have been integrated to the proper General Council in the terms disposed by the present Decree.

FIFTH ARTICLE.- In attention to the new conformation of the General, Local and District Councils of the Federal Electoral Institute and to the characteristics of the participation on the same of the representation of the political parties, the General Direction of the Federal Electoral Institute is authorized to adequate in the management of said situation, the documentation of electoral character that results necessary and that will have been approved in advance to the entrance in vigor of the present Decree.

SIXTH ARTICLE.- In reason of the reforms and adjustments that for this Decree are realized, the references to the Magistrate Counselors that are contained in the Articles of the Federal Code of Institutions and Electoral Procedures, shall be understood as finished to the Citizen Counselors integrated in the General Council. Also and for account of the agreements and other dispositions sent by the different electoral bodies in exercise of their competence and in which the figure of Magistrate Counselors may be mentioned, said mentioned references shall have the understanding to the new figure of the Citizen Counselors integrated in the General Council for all the following effects.

SEVENTH ARTICLE.- To the national political parties the nominal list of definite voters shall be filed pursuant to the ends signaled by this Code, though the means of magnetic tapes of 8 millimeters on June 30, 1994.

TRANSITORY ARTICLE OF THE DECREE BY WHICH THE FEDERAL CODE OF INSTITUTIONS AND ELECTORAL PROCEDURES ARE REFORMED, PUBLISHED IN THE OFFICIAL DIARY OF THE FEDERATION JUNE 3, 1994.

TRANSITORY ARTICLE

FIRST.- The present decree shall enter into vigor the day following its publication in the Official Diary of the Federation.

NOTES

¹· The territory of Mexico is divided into 300 “*uninominal* electoral districts” to elect deputies to the Chamber of Deputies by the principle of relative majority voting.

²· *Consejero* refers to those persons whose membership is based upon their representation of the Chamber of Deputies, Chamber of Senators, or of the Executive Branch (See article 74, paragraph 3). *Consejeros* will, also, be used to describe the *consejeros* and *consejeros magistrados*, in general, when referring to the sessions of the Councils of the Federal Electoral Institute.

³· *Consejero ciudadano* refers to those private citizens who are appointed to various positions in the operation of the electoral process. Hereinafter referred to as “citizen.”

⁴· In each *plurinominal* circumscription, the political parties are entitled to register lists of candidates for deputies by the principle of proportional representation. The political parties are entitled to have that number of candidates on their regional lists join the Chamber of Deputies according to the percentage of vote the political party receives in the *plurinominal* circumscription (see the Second Chapter of the Third Title of the First Book of this Code). *consejeros*”.

5.- The territory of Mexico is divided into five "*plurinomial* circumscriptions" in order to vote for those deputies to the Chamber of Deputies who shall be elected by the principle of proportional representation.

6.- Hereinafter, referred to as "votes cast" or "total votes cast".

7.- The terms "primary" and "alternate" refer to how candidates, delegates, and appointees are often nominated or appointed. The "primary" is the holder of the office or appointment. The "alternate" is the person nominated or appointed, simultaneously, along with the "primary", but who exercises the same functions of the office or appointment of the "primary", only in case of a vacancy by the "primary" or if he is otherwise unable to fulfill his office.

8.- The taxation and fee system (in spanish, *fiscal regimen*) refers to the system in which taxes are imposed for the general benefit of the society, and fees which are direct payments for public services or resources used by a party.

9.- The Secretary of *Gobernación* is the person who heads the *Secretaría de Gobernación*. This is, roughly translated, the Department of National or Intergovernmental Affairs of Mexico.

10.- The Federal District is divided into delegations which are very similar to municipalities. The difference is that the public authorities are appointed by the President in the delegations of the Federal District while there are elected officials in the municipalities.

11.- These entities (in spanish, *órganos desconcentrados*) are governmental agencies separate from the centralized government. The heads of these entities are appointed by the executive branch and are accountable to it. Their purpose, however, is usually public service oriented and not political.

Article 15 Paragraph C

Once the distribution is performed, which is referred to in the previous paragraph, the remaining political parties shall, then, be assigned the corresponding deputies by proportional representation, applying the formula of first proportionality.

Article 17

2. Rectified quotient: is the result of dividing the effective vote of the plurinominal circumscription by the number of its pending seats to be distributed and multiplied by two.

3. Unit quotient: it is the result of dividing the effective vote, after if it is reduced by the votes used by means of the rectified quotient, by the number of seats that have not been distributed.

4. Greater remainder of votes: it is the highest remainder among the remainder of the votes for each political party, after having participated in the distribution of seats by means of the rectified quotient and the unit quotient. The greater remainder must be used when there are still seats to be distributed.

Article 18

a) The votes of the political party to which the limits from sections IV, V and VI of article 54 of the For the rectified quotient, it shall be subtracted from the votacion nacional emitida the first and second seats of the circumscription are distributed successively. To all the political parties whose votes are one or two times this quotient, they shall be assigned these corresponding seats;

b) For the pending seats to be distributed, the unit quotient shall be

employed. In this way, each political party shall be successively assigned as many seats as the number of times the unit quotient equals its remaining vote;

c) If after the application of the rectified quotient and the unit quotient, seats remain to be distributed, they shall be distributed by the method of greater remainder, following the decreasing order of the remainder of the votes not utilized by each one of the political parties.

2. For each case, in the assignment of deputies by the principle of proportional representation, it is the order which is on the regional lists that shall be followed.

Los editores desean agradecer la colaboración institucional de la Universidad de Guadalajara, a través de su Instituto de Investigaciones Jurídicas, así como de su homólogo de la Universidad Nacional Autónoma de México, coordinados por Manuel González Oropeza, las cuales elaboraron la traducción del texto original del Código que el Instituto Federal Electoral hoy publica.

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**Federal Code of Electoral Institutions
and Procedures.**

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INSTITUTO FEDERAL ELECTORAL

Secretaría General
Dirección del Secretariado

1994

8

**NEW
DOCUMENT**

Federal Code of Electoral Institution and Procedures, Mexico.

Federal Electoral Institute	Article 68.
Objectives of the Institute	Article 69.
Independence	Article 70.
Organization	Article 72.
The General Council	Article 73, 74, 78-80.
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