

Bylaws of the Federal Commission on Competition

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

ERNESTO ZEDILLO PONCE DE LEÓN, President of the United Mexican States, in
exercise of the power conferred on me by Article 89, Subsection I of the Political
Constitution of the United Mexican States and on the basis of Articles 23 and 24 of the
Federal Law on Economic Competition, I have seen fit to issue the following

BYLAWS OF THE FEDERAL COMMISSION ON COMPETITION

Title One. General Provisions ➡

ARTICLE 1.- The purpose of the present Bylaws is to establish the organic structure and
the bases for operation of the Federal Commission on Competition.

ARTICLE 2.- For the purpose of these Bylaws the terms listed below shall be understood as
follows:

- I. Ministry: the Ministry of Trade and Industrial Development;
- II. Law: the Federal Law on Economic Competition;
- III. Commission: the Federal Commission on Competition, and
- IV. Chairman: the Chairman of the Federal Commission on Competition.

ARTICLE 3.- The Commission is a deconcentrated administrative organ of the Ministry,
endowed with technical and operative autonomy to issue its resolutions under the terms of
the Law, these Bylaws and other applicable provisions.

ARTICLE 4.- The budget of the Commission and the guidelines for its exercise shall be subject to the rules that the Ministry of Finance and Public Credit establishes for units of autonomous expenditure. The budget authorized for the Commission may not be transferred to other units of the Ministry.

ARTICLE 5.- The Commission may establish coordination mechanisms with agencies and entities of the Federal Public Administration, of the states, municipalities or other organizations, public or private, for the prevention and investigation of monopolies, government monopolies, concentrations and monopolistic practices, and for compliance with other provisions of the Law, these Bylaws or other applicable provisions.

ARTICLE 6.- Public servants working in the Commission shall be obliged to maintain confidentiality regarding the information and documentation handled on account of their work and related to the proceedings filed with same, strictly observing the internal provisions issued by the Commission on the matter.

ARTICLE 7.- The working days and hours of the Commission shall be subject to the annual calendar approved in this regard by the Plenum of same, at the proposal of the Chairman, and shall be published in the Official Gazette of the Federation.

The days on which the Commission suspends its work, or when its offices remain closed, shall be considered non-working days for all legal purposes, except in cases of express authorization for carrying out proceedings.

Title Two. On the Organization and Powers of the Commission ➡

Chapter I. On the Organization of the Commission ➡

ARTICLE 8.- For the exercise of its functions and handling of the matters within its authority, the Commission shall have the following public servants, organs and administrative units:

- I. Plenum;
- II. Chairman;
- III. Executive Secretary;
- IV. Operative General Directorates:
 - a. Of Legal Affairs;
 - b. Of Economic Studies;
 - c. Of Mergers;
 - d. Of Investigations;
 - e. Of Privatization and Bidding Processes, and

- f. Of Regional Coordination.
- V. General Directorates for Coordination and Administrative Support:
 - a. Of International Regulation;
 - b. Of Economic Norms;
 - c. Of Control and Follow-up;
 - d. Of Administration, and
 - e. Of Information Media.
- VI. Regional delegations or offices that are necessary for the proper application and monitoring of the functions and competence that correspond to it, in accordance with the provisions of the Law, these Bylaws and other applicable provisions, and
- VII. Any other units and technical and administrative personnel authorized by the Chairman, in accordance with the authorized budget and according to the provisions of Article 28, Subsection V of the Law, and subject to the norms and guidelines issued by the Ministry of Finance and Public Credit on the matter.

The Commission shall have an Internal Comptroller's Office which shall be governed by the provisions of Article 39 of these Bylaws.

ARTICLE 9.- The Chairman shall be replaced during his temporary absences by the commissioner he himself appoints by means of a decision.

ARTICLE 10.- The Executive Secretary shall be replaced during his temporary absences by the General Director appointed by the Chairman by means of a decision.

ARTICLE 11.- General Directors shall be replaced by the Deputy General Director or by the Area Director appointed by the Chairman by means of a decision.

ARTICLE 12.- Without detriment to the provisions of other applicable norms, in cases of temporary absence, excuse or hindrance, the other public servants of the Commission shall be replaced according to the corresponding decision.

Chapter II. On the Plenum of the Commission ➡

ARTICLE 13.- The Plenum is the highest organ of decision of the Commission and is made up of five commissioners including the Chairman. The presence of three shall be sufficient for it to be in session validly, but it shall never be able to sit without the presence of the Chairman or the commissioner who legally replaces him.

The resolutions of the Plenum shall be adopted unanimously or by majority of votes of the commissioners present, who may not abstain from voting, except when they have a legal impediment. The Chairman shall preside over the sessions of the Plenum and in case of a tie he shall have the casting vote.

ARTICLE 14.- It is incumbent upon the Plenum of the Commission to:

- I. Resolve cases within its sphere of competence, sanction administratively violations of the Law and its regulations, and decide on the presentation of complaints to the Office of the Public Prosecutor, if applicable;
- II. Interpret for administrative purposes in case of doubt, confusion or disagreement, any provision of these Bylaws, and resolve situations not provided for by same;
- III. Resolve any matters presented to it by the Chairman for that purpose;
- IV. Approve mechanisms for coordination with the agencies and entities of the Federal Public Administration, of the states, municipalities or other organizations, public or private, for the prevention and investigation of monopolies, government monopolies, concentrations, monopolistic practices and, in general, for due enforcement of the Law and its regulations;
- V. Issue opinions on bills and regulations relative to free competition when requested by the Federal Executive;
- VI. Approve organization and procedures manuals, as well as the internal regulations of the Commission;
- VII. Be informed of the prior report on possible rejections of manifestly unfounded complaints, and totally or partially approve or challenge said report;
- VIII. Resolve appeals for reconsideration filed against the acts of the Commission itself;
- IX. Approve, at the proposal of the Chairman, the establishment, circumscription and headquarters of regional delegations and the functions conferred on said delegations;
- X. Appoint, from among its members if applicable, the commissioner or visiting commissioners of the regional delegations, who shall give an account of the latter's functioning to the Commission;
- XI. Grant paid leave to the commissioners when there is justified cause, for up to one month each year, as long as the good functioning of the Commission is not impaired, and
- XII. Any others indicated by the Law, these Bylaws or other ordinances.

ARTICLE 15.- Sessions of the Plenum may be regular or special. Regular sessions shall be held at least once every two months. Special sessions shall be convened by the Chairman or by at least three commissioners, through the Executive Secretary. In the latter case, the reasons for holding the session should be stated in the notice of meeting.

Minutes shall be taken of the sessions of the Plenum, in which a summary shall be entered, and the decisions or resolutions approved by the Plenum shall be transcribed in the book or recording system determined for that purpose by the Executive Secretary. The respective minutes shall be submitted to the Plenum for approval at the session immediately following.

ARTICLE 16.- For the holding of regular sessions of the Plenum, the Executive Secretary

shall give at least 36 hours' notice of the place, date, time and order of business of the session. In the case of special sessions, these shall be convened 24 hours in advance. The sessions shall be valid, without the need for subsequent formalities, if all the commissioners are present.

ARTICLE 17.- The text of resolutions of the Plenum that have become final, or extracts from same, may be included in the report of the Commission and should be published in an informative gazette and in the Official Gazette of the Federation, based on Article 2 of the Regulations of the Federal Law on Economic Competition.

ARTICLE 18.- Once the files have been incorporated by the Executive Secretariat, they shall be turned over by decision of the Chairman to the Proponent Commissioner, who shall present his draft resolution to the Plenum for approval or amendment.

ARTICLE 19.- Once the preliminary investigation stage for each case has been completed, the commissioners shall have technical and investigation support through the Executive Secretariat in order to carry out, if applicable, an enlargement or clarification of the corresponding files, which does not preclude them from being assigned technical and administrative personnel, in accordance with the authorized budget and subject to the norms and guidelines issued by the Ministry of Finance and Public Credit on the matter.

The commissioners may participate in dissemination events, conventions and congresses related to the work of the Commission.

Chapter III. On the Chairman of the Commission ➡

ARTICLE 20.- The Chairman legally represents the Commission in the sphere of its authority and shall be appointed under the terms of Article 28 of the Law.

ARTICLE 21.- The Chairman may delegate, by means of a decision, his authority to the public servants of the Commission in accordance with the respective delegation decision.

The powers set forth in Subsection III of Article 28 of the Law and those set forth in Subsections I, II, V and XI to XIII of Article 22 of these Bylaws shall be considered non-delegable, as shall the power to create the necessary technical units in accordance with the budget of the Commission, and in accordance with the norms or guidelines established by the Ministry of Finance and Public Credit.

ARTICLE 22.- It is incumbent upon the Chairman to:

- I. Propose to the Plenum the policies of the Commission and, when they are approved, ensure that they are applied or executed;
- II. Submit to the consideration of the Plenum the interpretation for administrative purposes of any provision of these Bylaws, when there is any doubt, confusion or disagreement regarding their scope or meaning;
- III. Receive for processing the cases and appeals filed before the Commission and agree with the Executive Secretary, if applicable, on the rejection of those manifestly unfounded, without the need for advice in any case;
- IV. Formulate the bases, review the requirements and sign the agreements and contracts entered into by the Commission;

- V. Remit to the Ministry, once it has been authorized by the Ministry of Finance and Public Credit, the draft budget of the Commission, so that it is incorporated into that agency's overall budget;
- VI. Issue an opinion on adjustments to programs and policies of the Federal Public Administration, when these have effects that could be contrary to free competition;
- VII. Issue orders for presentation of documentation or information in accordance with the provisions of Articles 21 and 31 of the Law, and call those related to the cases in question to declare, using, if applicable, the compulsion measures indicated by the Law;
- VIII. Issue an opinion in connection with free competition, when deemed pertinent, regarding laws, regulations, agreements, circulars or drafts of all of these, and with regard to administrative acts, without said opinion having legal effects nor being obliged to issue it;
- IX. Order, under the terms provided for by Article 2 of the Regulations of the Federal Law on Economic Competition, the publication of resolutions issued by the Plenum in the informative gazette, in the Official Gazette of the Federation and in the annual report published by the Commission, as well as the inclusion of articles or dissemination materials related to competition legislation and policies in the above-mentioned gazette and report, which shall be the official dissemination organs of the Commission;
- X. Participate with the competent agencies in the negotiation and discussion of international treaties or agreements in the area of economic competition;
- XI. Assign issues to the commissioners;
- XII. Issue guidelines regarding dissemination of the performance of the functions of the Commission, and authorize the participation of commissioners, the Executive Secretary and public servants of the Commission in events or conferences related to the authority of the Commission, paying attention to the uniformity of criteria and policies of the latter, except as regards dissenting votes;
- XIII. Issue decisions on replacements and delegation of authority;
- XIV. Appoint and remove confidential public servants at his discretion, save for the exceptions established by the Law, these Bylaws or other applicable provisions;
- XV. Propose for the approval of the Plenum the organization and procedures manuals of the Commission, as well as regulations on confidentiality and other internal ordinances deemed advisable for the proper performance of its functions; and
- XVI. Any others indicated by the Law, these Bylaws or other ordinances.

Chapter IV. On the Executive Secretary ➡

ARTICLE 23.- It is incumbent upon the Executive Secretary to:

- I. Assist the Chairman in the assignment and processing of cases, resources and other

issues filed with the Commission;

- II. Coordinate the Operative General Directorates of the Commission for the incorporation of files and their subsequent sending to the Chairman;
- III. Represent the Commission in all types of administrative proceedings, actions under administrative law and labor and judicial matters, and replace the Chairman in amparo proceedings;
- IV. Give an account and take the minutes of sessions of the Plenum and of the voting of the commissioners and notify resolutions, as well as processing the execution of the latter and of the sanctions imposed by the Commission;
- V. Coordinate and supervise due follow-up of the proceedings under way before the Commission, paying attention to uniformity of criteria and avoiding duplication in the proceedings being processed before the Commission;
- VI. Agree with the Chairman on issues relative to sessions of the Plenum;
- VII. Issue orders for presentation of documentation or information in accordance with the provisions of Articles 21 and 31 of the Law, and call those related to the cases in question to declare, using, if applicable, the compulsion measures indicated by the Law;
- VIII. Resolve, with the prior agreement of the Chairman, consultations presented by interested parties, without these having any legal or binding effect;
- IX. Promote and coordinate the Commission's relations with different agencies and entities of the Federal Public Administration, of the states, municipalities or other public or private organizations, with regard to the procedures, opinions and consultations in the charge of the Commission;
- X. Admit for processing the cases and appeals filed with the Commission and agree with the Chairman, if applicable, on the rejection of those manifestly unfounded, without the need for advice in any case;
- XI. Issue certified copies of the evidence filed in the archives of the Commission when it has to be shown in some proceeding, lawsuit or investigation, or when considered in order due to the existence of analogous causes. Certified copies should also be issued when there is a writ from a competent authority;
- XII. Receive, process and turn over any complaints filed before the Commission for violations of the Law or its Regulations;
- XIII. Be in charge of the establishment, operation and control of the Filing Desk of the Commission;
- XIV. Collaborate with the Chairman in the preparation of the annual report of the Commission and of special reports that may be required;
- XV. Coordinate with the General Directorate of International Regulation the participation of public servants of the Commission in meetings, conventions, congresses, symposiums and any other meeting at national or international level, on the subject of

free competition, under the guidelines and instructions indicated by the Chairman;

- XVI. Compile the resolutions of the Commission and publish them in coordination with the General Director of International Regulation when the Chairman so indicates;
- XVII. Form, maintain, take care of and increase the book and newspaper library of the Commission, and
- XVIII. Any others indicated by the law, these Bylaws and other ordinances, or granted by the Chairman by means of a delegation decision.

Chapter V. On the General Directorates ➡

ARTICLE 24.- For the performance of their functions, the General Directorates shall have a General Director, a Deputy General Director, Area Directors, Assistant Directors, Heads of Department, Analysts and other technical and administrative personnel authorized by the Chairman in keeping with the budget allocated and in accordance with the provisions of Article 28, Subsection V of the Law.

The Operative General Directorates shall be directly responsible for the performance of their functions and for the exercise of their authority to the Executive Secretary; those of Coordination and Administrative Support to the Chairman. All other units or administrative areas shall be responsible to their immediate superior.

ARTICLE 25.- It is incumbent upon the General Directorates to:

- I. Plan, program, organize, direct, control and evaluate the performance of the work entrusted to the organs in their charge;
- II. Advise and support the commissioners in the matters that are their specialty and in accordance with the guidelines authorized by the Chairman;
- III. Coordinate their activities with other General Directorates or units of the Commission when so required for the latter's good functioning;
- IV. Sign the procedural agreements or resolutions that fall within their sphere of competence;
- V. Inspect, supervise and enforce the Commission's internal regulations;
- VI. Apply cooperation and information exchange mechanisms with the different agencies and entities of the Federal Public Administration, of the states, municipalities or other public or private organizations, as long as they do not involve confidential information and in accordance with the guidelines approved;
- VII. Give due compliance to the systems of documentation, transmission and exchange of information, and
- VIII. Any other powers indicated by the regulations of the Law or other ordinances or granted to them by means of a delegation decision.

ARTICLE 26.- It is incumbent upon the Operative General Directorates to:

- I. Agree with the Executive Secretary on the resolution of issues within their sphere of competence;
- II. Propose to the Chairman or the Executive Secretary the signing of bases of coordination and collaboration with other public or private agencies, entities, institutions or organizations, in order to facilitate the handling of matters that correspond to them;
- III. Formulate the reports, opinions and consultations requested by the Chairman or the Executive Secretary;
- IV. Propose to the Executive Secretariat the entrance, promotions and leaves of the personnel in their charge, and
- V. Prepare projects on the organization of the General Directorate in their charge and propose them to the Executive Secretary.

ARTICLE 27.- It is incumbent upon the General Directorates of Coordination and Administrative Support to:

- I. Agree with the Chairman on the matters within their sphere of competence;
- II. Propose to the Chairman the signing of bases of coordination and collaboration with other public or private agencies, entities, institutions or organizations, in order to facilitate the handling of matters that correspond to them;
- III. Formulate the studies, recommendations and projects requested by the Chairman;
- IV. Prepare projects on the organization of the General Directorate in their charge and propose them to the Chairman, and
- V. Implement, on the indications of the Chairman, the coordination or administrative support mechanisms that facilitate the conduct and application of the competition policy and the administrative functioning of the Commission.

ARTICLE 28.- It is incumbent upon the General Directorate of Legal Affairs to:

- I. Support, in accordance with the guidelines indicated by the Executive Secretary and in coordination with the other Operative General Directorates, the analysis of the draft bills, regulations, decisions, decrees, Mexican official standards and other provisions of general observance on matters of free economic competition, including acts of authority;
- II. Advise the different organs of the Commission when so requested, and monitor the legality of the actions of the public servants of the Commission in the exercise of their authority;
- III. Propose to the Executive Secretariat the interpretation and general criteria for the

enforcement of applicable legal provisions;

- IV. Issue an opinion regarding the reports turned over to it by other General Directorates, and supervise or process the treatment of legal proceedings carried out by the Commission, including knowledge, processing or handling of evidence in same and of the incident of suspension of the execution of resolutions;
- V. Represent the Commission, the Chairman and the Executive Secretary in all types of legal and administrative proceedings, actions under administrative law and labor proceedings, and assist in the preparation of justified reports in amparo proceedings, as well as presenting complaints before the Office of the Public Prosecutor in cases in which they are in order;
- VI. Advise the organs of the Commission and issue an opinion on labor matters relative to personnel, including practices and drawing up of administrative records and documents, and express its opinion on layoffs and other sanctions in order regarding personnel;
- VII. Support the General Directorate of Administration in the legal aspects of the functions provided for in Article 37, Subsections VI, VII and IX of these Bylaws;
- VIII. Issue, by decision of the Executive Secretary, orders for presentation of documentation or information in accordance with the provisions of Articles 21 and 31 of the Law, and call those related to the cases in question to declare, using, if applicable, the compulsion measures indicated by the Law;
- IX. Supervise proper execution of the resolutions of the Commission, notifying the Executive Secretary of failure to comply or insufficiency in their execution;
- X. Indicate the legal bases and requirements to which the agreements and contracts signed by the Commission should abide by, advise on them and keep a register of same;
- XI. Receive, process and propose the reports on appeals for reconsideration filed with the Commission, in accordance with Article 39 of the Law, and
- XII. Monitor application of compulsion measures provided for in Article 34 of the Law and propose to the Executive Secretary, in coordination with the competent General Directorates, the amount of the corresponding fine.

The General Directorate of Legal Affairs shall be in the charge of the Director General, who shall be supported in the exercise of his authority by the Deputy Director General for Legal Affairs and by the Directors of Litigious Affairs and Amparo Proceedings.

ARTICLE 29.- It is incumbent on the General Directorate of Economic Studies to:

- I. Carry out the technical-economic analysis of the different markets for goods and services, in accordance with the policies approved by the Plenum, for the purposes determined by the Chairman, some Commissioner, the Executive Secretariat or the General Directorate itself;
- II. Carry out the technical studies for the resolution of cases presented before the

Commission;

- III. Analyze and study in coordination with the competent General Directorates the current legal framework, as well as draft laws, regulations and norms, to determine their impact on free competition;
- IV. Analyze the behavior of the different economic agents in regulated sectors with regard to economic competition, and
- V. Formulate studies and prepare proposals to establish the competition policies of the Commission;

ARTICLE 30.- It is incumbent upon the General Directorate of Mergers to:

- I. Study and advise on the cases in connection with mergers presented to the Commission, and collaborate with the other areas on matters in which it is requested to do so;
- II. Propose the conditions according to which mergers should be approved and supervise their fulfillment;
- III. Issue, by decision of the Executive Secretary, requirements for additional data or documents in accordance with the provisions of Article 21 of the Law;
- IV. Study the markets, according to the levels of concentration or participation of economic agents, as well as international experiences, regulations and cases of mergers;
- V. Keep a register of the authorizations or observations formulated by the Commission, in accordance with applicable norms, and
- VI. Study and make proposals with regard to current or draft laws, regulations and norms, as well as in regard to acts of authority related to mergers, in coordination with the corresponding Operative General Directorates;

The General Directorate of Mergers shall be in the charge of the General Director, who shall be supported in the exercise of his authority by the Deputy General Director of Mergers and by the Directors of Registers of Amalgamations and Mergers, and of Analysis and Authorization of Mergers.

ARTICLE 31.- It is incumbent upon the General Directorate of Investigations to:

- I. Initiate and coordinate the investigations carried out ex officio or on application by the Commission, and collaborate with the other areas on matters in which it is requested to do so;
- II. Issue, by decision of the Executive Secretary, orders for presentation of documentation or information in accordance with the provisions of Article 31 of the Law, and call those related to the cases in question to declare, using, if applicable, the compulsion measures indicated by the Law;

- III. Advise on the cases in which it has taken part;
- IV. Coordinate joint actions with other public or private institutions or agencies, and request information when so required by the nature of the investigation;
- V. Carry out joint actions with foreign public or private institutions, and request information from them when so required by the nature of the investigation;
- VI. Supervise, in coordination with the General Directorate of Legal Affairs, the course of proceedings, evaluate the results of same, and formulate the corresponding reports, as well as making the observations it considers pertinent, and
- VII. Collect evidence and any other element of conviction in the cases and investigations in its charge, in accordance with the policies of the Commission, and in coordination with the General Directorate of Legal Affairs;

The General Directorate of Investigations shall be in the charge of the General Director, who shall be supported in the exercise of his authority by the Deputy General Director of Investigations and by the Directors of Investigations, of External Coordination, of Goods, and of Follow-up and Evaluation.

ARTICLE 32.- It is incumbent upon the General Directorate of Privatization and Bidding Processes to:

- I. Study and propose the incorporation of measures to promote and protect competition in the mechanisms for awarding concessions and permits, as well as in procedures relative to the divestiture of public entities and assets;
- II. Study and advise on notifications on concessions and permits presented to the Commission by applicants or bidders, in accordance with the applicable legal provisions;
- III. Study and advise on notifications presented by those interested in acquiring public-sector entities or assets in the process of divestiture;
- IV. Study and advise on notifications on transfers of concessions or permits provided for in the applicable legal provisions;
- V. Propose, if applicable, the conditions according to which the operations mentioned in Subsections I to III of this Article should be approved;
- VI. Issue, by decision of the Executive Secretary, requirements for data or documents in accordance with the provisions of Article 31 of the Law, as well as in the conditions and notices of the respective bidding or in other administrative provisions;
- VII. Study the conditions of free competition in the markets corresponding to regulated economic sectors;
- VIII. Investigate and advise on conditions of competition and market power in the cases provided for in the applicable legal provisions;
- IX. Keep a register of the authorizations and observations formulated by the Commission

on the cases resolved;

- X. Support the Chairman and the Executive Secretary in addressing the issues dealt with in the Inter-ministerial Commissions on Divestiture and Spending-Financing;
- XI. Study and issue opinions on aspects of opening, promotion and protection of competition in regulated economic sectors, and
- XII. Any others conferred on it by other laws, regulations or administrative provisions applicable to the processes of concessions, permits and divestiture of public entities and assets.

The General Directorate of Privatization and Bidding Processes shall be in the charge of the General Director, who shall be supported in the exercise of his authority by the Deputy General Director of Privatization and Bidding Processes and by the Directors of Privatization, of Bidding, and of Analysis and Evaluation.

ARTICLE 33.- It is incumbent upon the General Directorate of Regional Coordination to:

- I. Implement the Commission's decentralization and deconcentration programs;
- II. Design, review and propose administrative procedures that streamline and facilitate regional attention to matters of competition;
- III. Deal regionally with matters of competition in terms of procedures and the delegation of authority that the Plenum approves for such purposes;
- IV. Follow up on the formalities under way in central offices regarding issues of competition that arise at regional level;
- V. By prior agreement of the Plenum and in accordance with the indications of the Executive Secretary, promote and negotiate cooperation agreements on competition with the governments of the states;
- VI. Implement, on behalf of the Commission, the Administrative Collaboration Agreement signed with the Ministry to deal with issues of competition at regional level, and
- VII. Coordinate, train and supervise the work of public servants dealing with issues of competition in regional offices.

The General Directorate of Regional Coordination shall be in the charge of the General Director, who shall be supported in the exercise of his authority by the Deputy General Director of Regional Coordination and by the Directors of the Northern, Central and Southern Areas.

ARTICLE 34.- It is incumbent upon the General Directorate of International Regulation to:

- I. Coordinate, in accordance with the guidelines established by the Chairman, the participation of the Commission in matters of negotiation and international cooperation relative to the process of competition;

- II. Contribute to the application of measures to promote and protect competition established in treaties and agreements, as well as in other international cooperation instruments signed by our country;
- III. Establish, in accordance with instructions from the Chairman and under the terms of our country's international commitments, the necessary coordination between the Commission and the competition authorities of other countries, with regard to monopolistic practices and international mergers; as well as other aspects of competition of international scope that affect the process of free competition in the national territory;
- IV. Coordinate and support at international level the participation of the Operative General Directorates in the matters mentioned in the previous subsection and follow up on same;
- V. Study the competition policies and legislation of other countries, for the purposes determined by the Chairman, some Commissioner, the Executive Secretariat or the General Directorate itself, and advise the areas of the Commission that so require on these matters;
- VI. Coordinate the Commission's participation in international negotiations or agreements that include commitments or projects on protection and promotion of competition;
- VII. Advise national economic agents facing competition problems outside the national territory;
- VIII. Coordinate attention to consultations on aspects of competition presented by foreign economic agents;
- IX. Prepare, on the instructions of the Chairman and with the support of the Executive Secretariat, the draft annual report of the Commission, as well as special reports required to attend to administrative obligations and international commitments;
- X. Assist the Chairman in national and international dissemination of the criteria issued by the Plenum and of the resolutions of the Commission, and
- XI. Any others entrusted to it by the Chairman by decision or administrative provision;

ARTICLE 35.- It is incumbent on the General Directorate of Economic Norms to:

- I. Serve as liaison between the Commission and the consulting firms hired to carry out specialized studies and competition audits, and follow up on same;
- II. Prepare special studies on specific cases of enforcement of the Law on instructions of the Chairman and submit recommendations;
- III. Systematize and analyze information on cases resolved by the Commission;
- IV. Propose information-technology policy to the Chairman, and determine and disseminate the guidelines and standards for the design and development of information-technology and electronic systems required by the Commission;

- V. Coordinate and implement programs of information technology development, and
- VI. Administer the institutional systems, databases and servers, ensuring integrity, security and confidentiality in their handling;

ARTICLE 36.- It is incumbent upon the General Directorate of Control and Follow-up to:

- I. Follow up on the matters entrusted by the Chairman to the organs of the Commission;
- II. Propose and implement the follow-up and evaluation procedures for the functions and tasks entrusted to the Executive Secretariat and the General Directorates;
- III. Supervise that the services provided by the Commission comply with the quality criteria approved by the Chairman;
- IV. Propose and coordinate the carrying out of surveys among economic agents on the quality of the Commission's services and report on the results to the Chairman, and
- V. Establish the necessary coordination on the above matters with the Office of the Internal Comptroller.

ARTICLE 37.- It is incumbent upon the General Directorate of Administration to:

- I. Propose to the Chairman the technical and administrative measures it considers advisable for better organization and functioning of the Commission;
- II. Attend to administrative needs for internal information, in accordance with the guidelines indicated by the Chairman;
- III. Propose to the Chairman the annual draft program and budget of the Commission, and monitor their compliance and carry out their evaluation, proposing the pertinent modifications;
- IV. Authorize, in accordance with the guidelines indicated by the Chairman, the necessary documentation for outlays chargeable to the budget, and present those that should be authorized in accordance with the applicable norms;
- V. Attend, in accordance with the guidelines indicated by the Chairman, to matters involving personnel, their training and improvement of their economic, social, cultural and labor conditions;
- VI. Process appointments of public servants, movements of personnel and cases of termination of the effects of the appointment, in accordance with applicable legal provisions; and issue and, if applicable, certify the records relative to the post or charge they occupy or have occupied, salaries and other inherent activities in accordance with the procedures and norms approved for such purposes;
- VII. Participate in the preparation of the norms applicable to the public servants of the Commission and monitor their compliance and dissemination;
- VIII.

Administer the incentives and rewards established in accordance with the norms and procedures established;

- IX. Execute the administrative sanctions to which the personnel of the Commission become liable, in accordance with the procedures and norms established for such purposes;
- X. Authorize the leasing contracts, acquisitions, provision of services or any other involving acts of administration entered into by the Commission, in accordance with the procedures and norms established for such purposes, and
- XI. Propose to the Chairman the administrative programs for operation, equipment, norms, monitoring and security, as well as orderly execution of the budget, in accordance with the guidelines indicated by same.

The General Directorate of Administration shall be in the charge of the General Director, who shall be supported in the exercise of his authority by the Deputy General Director of Administration and by the Directors of Human Resources, of Financial Resources and of Material Resources.

ARTICLE 38.- It is incumbent upon the General Directorate of Information Media to:

- I. Execute the information media and public relations policy determined by the Chairman, in accordance with legal provisions on the matter;
- II. Formulate and propose to the Chairman the program that complies with the Commission's information media policy, based on the guidelines indicated in this regard by the competent authorities;
- III. Design the publications determined by the Chairman;
- IV. Collect, analyze and process the information from the media regarding events of interest to the Commission, and
- V. Any others expressly assigned to it by the Chairman.

ARTICLE 39.- At the head of the Office of the Internal Comptroller there shall be an Internal Comptroller appointed under the terms of Article 37, Subsection XII of the Organic Law of the Federal Public Administration, who in the exercise of his authority shall be assisted by the heads of the areas of audit, complaints and accountability appointed under the same terms.

Said public servants shall exercise, within the sphere of competence of the Commission, the authority provided for in the Organic Law of the Federal Public Administration, in the Federal Law of Accountability of Public Servants and in the other applicable legal and administrative ordinances, in accordance with the provisions of Article 26, Subsections III and IV of the Bylaws of the Ministry of the Comptroller General and Administrative Development.

The Commission shall provide to the head of the Office of the Internal Comptroller the human and material resources required for dealing with the matters in his charge, and likewise the public servants of the Commission shall be obliged to provide the assistance

required for the performance of his duties.

Title Three. On Impediments and Exemptions ➡

ARTICLE 40.- Each Commissioner shall be impeded from being informed of any matter or case in which he has a direct or indirect interest under the terms of Article 26, final paragraph, of the Law. It is considered that there is a direct or indirect interest when:

- I. He has kinship in direct line, without limitation of degree, in the collateral by blood relationship, up to the fourth degree, and in the collateral by affinity, up to the second degree with any of the interested parties or their representatives;
- II. Has an intimate friendship with any of the interested parties or their representatives, or his spouse has such a friendship;
- III. Has a personal interest in the matter, or his spouse has such an interest;
- IV. Is an heir, legatee, donee or guarantor of any of the interested parties, if the Commissioner has accepted the inheritance, legacy or donation;
- V. Has been an expert, witness, representative, sponsor or counsel in the matter in question, or has previously dealt with or recommended the matter, in favor or against any of the interested party, and
- VI. Is in a situation that could affect his impartiality in a manner analogous to the above.

The commissioners have the obligation to exempt themselves from knowledge of the business in which any of the impediments indicated in this article arises, specifically expressing the cause of the impediment, in which case the Plenum shall assess the exemption.

Title Four. On the Accountability of the Public Servants of the Commission ➡

ARTICLE 41.- The public servants of the Commission incur in administrative accountability when they improperly divulge the information they obtain in the exercise of their functions, without prejudice to the civil or penal liability that may result.

Title Five. On Compulsion Measures ➡

ARTICLE 42.- In accordance with the provisions of Article 34 of the Law, the Commission may make use of the compulsion measures indicated, without distinction, through the competent public servants.

Transitory ➡

FIRST.- The present Bylaws shall enter into effect on the day following their publication in the Official Gazette of the Federation.

SECOND.- The Bylaws of the Federal Commission on Competition published in the Official Gazette of the Federation on October 12, 1993 are hereby annulled.

THIRD.- The provisions contained in other ordinances that oppose the present Bylaws are hereby revoked.

Given in the Residence of the Federal Executive Branch, in Mexico City, Federal District, on the twenty-fifth day of August, nineteen ninety-eight.- Ernesto Zedillo Ponce de León.-
Signature.- The Minister of Finance and Public Credit, José Ángel Gurría Treviño.-
Signature.- The Minister of Trade and Industrial Development, Herminio Blanco Mendoza.-
Signature.