

BANCO DE MÉXICO LAW

New Law published in the Federal Official Gazette on December 23, 1993

TEXT IN EFFECT

Last amendment published in the Federal Official Gazette on January 10, 2014

In the margin, a seal of the National Coat of Arms reading: United Mexican States.- Presidency of the Republic.

CARLOS SALINAS DE GORTARI, Constitutional President of the United Mexican States, to its inhabitants, let it be known:

That the H. Congress of the Union, has addressed to me the following

EXECUTIVE ORDER

"THE UNITED MEXICAN STATES CONGRESS ENACTS THE:

BANCO DE MÉXICO LAW

Chapter I

Nature, Objective and Functions

ARTICLE 1.- The Central Bank shall be a legal entity subject to public law, autonomous in nature, and shall be named Banco de México. Its functions and administration shall be regulated by the provisions of this Law, the regulation of Paragraphs Six and Seven of Article 28 of the Political Constitution of the United Mexican States.

ARTICLE 2.- The Banco de México's purpose shall be to provide the country's economy with domestic currency. In pursuing this purpose, its primary objective shall be to seek the stability of the purchasing power of said currency. The Bank shall also have the purpose of promoting the sound development of the financial system and fostering the proper functioning of payment systems.

ARTICLE 3.- The Bank shall perform the following functions:

I. Regulate the issuance and circulation of currency, foreign currency exchange, financial intermediation and services, as well as payment systems;

II. Operate as reserve bank and lender of last resort for credit institutions;

III. Provide treasury services to the Federal Government and act as its financial agent;

IV. Counsel the Federal Government on economic and, particularly, financial issues;

V. Participate in the International Monetary Fund and other international financial cooperation institutions or those embodying central banks, and

VI. Operate with the institutions referred to in Section V above, with central banks and with other foreign legal entities performing functions of authority in financial issues.

Chapter II

Issuance and Circulation of Currency

ARTICLE 4.- Banco de México shall be the sole agency authorized to issue banknotes and order the minting of metallic

coins, as well as put both types of currency into circulation through the transactions provided for and authorized to it by this Law.

ARTICLE 5.- Banknotes issued by Banco de México shall bear: the denomination both in numerals and in writing; the series and number; the date of the corresponding issuance agreement; the facsimile signatures of a member of the Board of Governors and of the Chief Cashier; the legend "Banco de México", and such other features as the Bank may specify.

The Bank may print its own banknotes or entrust their printing to third parties.

ARTICLE 6.- The Bank, either directly or through its correspondents, shall exchange the banknotes and metallic coins put into circulation for other banknotes or coins of the same or different denominations on demand, without limit and as per the bearer's instructions.

Should the Bank or its correspondents lack enough banknotes or metallic coins of the requested denominations, the aforementioned obligation may be fulfilled by giving banknotes or metallic coins of the available denominations that are closest to those requested.

The metallic coins referred to in Article 62 Section II are excluded from the provisions of this article.

In fulfilling its exchange obligation with credit institutions, the Bank may provide them with the denominations of banknotes or metallic coins whose increased circulation the Bank deems adequate to facilitate payments.

Chapter III

Transactions

ARTICLE 7.-Banco de México may perform the following activities:

- I. Deal with securities;
- II. Grant credit to the Federal Government, to credit institutions and to the decentralized agency denominated Institute for the Protection of Banking Savings; (Amended in the Federal Official Gazette on January 19, 1999.)
- III. Grant credit to the legal entities referred to in Article 3 Section VI,
- IV. Make deposits in either domestic or foreign credit institutions or security depository institutions;
- V. Purchase securities issued by international financial institutions or entities with foreign domiciles; from those provided for in Article 20 section II;
- VI. Issue monetary regulation bonds;
- VII. Receive money bank deposits from the Federal Government, domestic and foreign financial institutions, public economic development trusts and those referred to in Section XI below, from the securities depository institutions, and entities of the federal public administration, when so established by law;
- VIII. Receive money bank deposits from the legal entities referred to in Article 3 Section VI;
- IX. Obtain credits from the legal entities referred to in Article 3 Section VI and from foreign financial institutions, with the sole purpose of foreign exchange regulation; as well as make guarantees in cash or with securities in regards to the financial transactions that it executes with said subjects pursuant to the present Law, derived from the international assets reserve administration.

(Amended in the Federal Official Gazette on January 10, 2014)

- X. Carry out transactions involving foreign currency, gold, and silver, including repurchase agreements;

XI. Act as trustee when appointed by law or in regards to trusts whose aim is to contribute to the fulfillment of the Bank's own functions or that have been established by the Bank to fulfill its own labor-related obligations, and

XII. Receive deposits of titles or securities from the legal entities referred to in Sections VII and VIII above either for their safekeeping or for their administration. The Bank may also receive deposits of other financial instruments from the Federal Government.

The Bank may only perform the acts explicitly provided for in this Law or those related thereto.

ARTICLE 8.- The transactions referred to in Article 7, must be contracted in terms consistent with the market conditions by the time of their execution, except in those cases when transactions have no market value due to their nature.

Additionally, transactions involving securities performed by the Central Bank, except those set forth in Article 7 Sections IV, V and XII, and in Article 9 Section I, shall be exclusively executed through auctions of securities that are payable by the Federal Government, credit institutions or the Bank itself.

ARTICLE 9.- Banco de México shall not lend securities to the Federal Government nor purchase securities from it, except when security purchases that are payable by the Government comply with one of the two following conditions:

- I. When said purchases are covered by cash deposits made by the Government in the Bank with the proceeds of the placement of said securities, and which may not be withdrawn before their maturity date; the amounts, terms and yield on these deposits must be equal to the amounts, terms and yield of the securities being traded; or
- II. When security purchases result from bids by the Bank in primary auctions of said securities. The amount of these purchases may under no circumstance exceed the amounts of securities payable by the Government, owned by the Bank and redeemable on the same date of placement of the securities being auctioned.

ARTICLE 10.- Only the Central Bank may act as the Federal Government's agent in issuing, placing, purchasing and selling Government domestic debt securities and, in general, in servicing said debt.

ARTICLE 11.- Banco de México may grant credit to the Federal Government only through the current account that the Federal Treasury holds in the Bank, and subject to provisions of Article 12. For the purposes of this Law, securities payable by the Federal Government and owned by the Central Bank are not considered as credit.

ARTICLE 12.- Banco de México shall have a current account for the Federal Treasury, which will be managed according to the terms agreed upon by both parties and in all cases according to the following:

I. Charges or payments to this account shall be made only under direct order from the Federal Treasurer to the Bank. The Bank must receive said order at least one banking business day before the date the respective charge or payment must be made;

II. Banco de México may charge the account in order to cover the service of the domestic debt of the Federal Government without the authorization of the Federal Treasurer;

III. No checks or any other documents payable to third parties may be drawn on this account, and

IV. Should the Federal Government's balance in the current account be negative, said balance must never exceed the equivalent of 1.5 percent of the Federal Government's expenses as laid out in the Federal Expenditure Budget for the corresponding year, without considering those indicated for the redemption of the debt of said Government; except when the temporary differences between public revenues and expenses increase considerably due to extraordinary circumstances.

Should the negative balance of the account exceed the aforementioned limit, the Bank must proceed to place securities payable by the Federal Government on the market, on behalf of the Government and for an amount equivalent to the balance in excess of the limit. If necessary or appropriate, the Bank, again on behalf of the Federal Government, shall issue securities payable by the Government and place them on the market. In determining the characteristics of the placement and, if necessary, the issuance, the Bank shall seek the best possible terms for the Government as the market allows.

The Bank must place the aforementioned securities within fifteen business days from the date on which the limit is exceeded, and settle the excess credit with the proceeds of the corresponding placement. In exceptional cases the Bank's Board of Governors may extend that term in one or more instances, for a total duration of no longer than three months if it helps to prevent disruptions in the financial market.

ARTICLE 13.- When the laws establish that Banco de México must make contributions to international financial institutions, the Federal Government will provide the Bank with the respective funds in a timely manner. Nevertheless, payment of contributions to the International Monetary Fund shall be made with Banco de México's own resources.

ARTICLE 14.- The transactions carried out by Banco de México with credit institutions shall be carried out either through auctions or according to the provisions issued by the Bank.

Financing granted by the Central Bank to credit institutions, whether by means of granting credit or purchasing securities, may only be for the purpose of monetary regulation.

ARTICLE 15.- Provisions in Article 8 Paragraph Two and Article 14, will not apply to financing that the Central Bank grants credit institutions in order to prevent disruptions in the payment systems, nor to transactions done by the Bank as lender of last resort.

ARTICLE 16.- Financing granted by Banco de México to credit institutions shall be guaranteed by deposits of money and securities that said institutions have at the Central Bank. As the aforementioned financing becomes due, the Bank is entitled to charge the corresponding amounts to the accounts in which the money deposits have been recorded.

ARTICULO 17.- Monetary regulation bonds issued by Banco de México shall be registered negotiable instruments or negotiable instruments payable to the bearer, and shall have such other characteristics as the Bank may determine; said securities must remain deposited in the Bank for their administration whenever the Bank so determines.

Chapter IV

International Reserves and the Exchange Rate Regime

ARTICLE 18.- Banco de México shall maintain a reserve of international assets aimed at supporting the stability of the purchasing power of the domestic currency by offsetting imbalances between the country's foreign currency receipts and disbursements.

ARTICLE 19.- The reserve provided for in the previous article shall be composed of:

I. The foreign currency and gold, property of the Central Bank, that are free of all encumbrances and whose availability is not subject to any restriction;

II. The amounts resulting from the difference between Mexico's participation in the International Monetary Fund and the balance of the liabilities that are payable by the Bank when this balance is less than the aforementioned participation, and

III. The foreign currency procured through financing obtained for exchange regulatory purposes from the legal entities referred to in Article 3 Section VI.

To determine the amount of the reserve, the foreign currency not yet received from the sale of domestic currency will not be taken into consideration; and the Institution's liabilities in foreign currency and gold, except for those liabilities with maturities over six months and those corresponding to the financing referred to in Section III of this article will be deducted.

ARTICLE 20.- For the purposes of this Law, the term foreign currency includes: foreign banknotes and metallic coins, bank deposits, negotiable instruments, and all types of credit documents payable abroad and denominated in foreign currency, as well as international means of payment in general.

The foreign currency qualified to be part of the reserve is only the following:

I. Foreign banknotes and metallic coins;

II. Deposits, instruments, securities and other obligations payable outside national territory that are considered to be first rate in international markets, denominated in foreign currency, and payable by international financial institutions, foreign entities and governments other than the Mexican Government, provided they are highly liquid or due within a term no longer than six months;

III. Credits payable by central banks, due within a term no longer than six months, that are current, and

IV. The special drawing rights issued by the International Monetary Fund.

ARTICLE 21.- In foreign exchange rate matters, Banco de México shall act in accordance with the guidelines established by the Exchange Commission, which will be made up of the Secretary and Undersecretary of the Ministry of Finance and Public Credit, another Undersecretary of said Ministry appointed by the corresponding Secretary, the Governor of the Bank and two more members of the Board of Governors designated by the Governor. Members of the Commission shall not have alternates.

Sessions of the Commission will be presided over by the Secretary of Finance and Public Credit, and in his/her absence by the Governor and, in the absence of both, by the Undersecretary appointed by the aforementioned Secretary. The officer presiding over the session will have the decisive vote in case of a tie.

The Commission may meet any time when summoned by the Secretary of Finance and Public Credit or by the Governor. At least three of its members must be present for any session to take place, provided that both the Ministry of Finance and Public Credit and Banco de México are represented. Resolutions of the Commission will be made by majority vote, with at least one favorable vote from one of the representatives of the aforementioned Ministry being required in all cases.

The Governor will inform the Board of Governors on said resolutions.

The secretary of the Board of Governors and his/her alternate will also function in these capacities on the Exchange Commission.

ARTICLE 22.- The Commission shall be entitled to:

I. Authorize the procurement of the credits referred to in Article 7 Section IX;

II. Establish the criteria that the Bank must be subject to in regards to the exercise of its duties as described in Articles 32, 34 and 35, as well as in Article 33 concerning the development bank, and

III. Establish guidelines for the management and assessment of the reserve referred to in Article 18.

ARTICLE 23.- In pursuing its primary objective, Banco de México may offset any increase in the amount of currency in circulation or in its on demand obligations resulting from purchases of foreign currency made pursuant to the guidelines referred to in Article 21, by placing or, if necessary, issuing securities payable by the Federal Government under the terms established in Article 12 Section IV Paragraph Two. Said placements on account of the Federal Government can only take place if the amount of securities payable by the Federal Government and held by the Bank as part of its assets is equal to or less than the amount of deposits referred to in Article 9 Section I, and if the Bank does not have any other highly tradable securities available. Upon carrying out the placement, the Bank will deposit the proceeds thereof into a non-interest bearing account in favor of the Government. The deposited funds will be returned to the Government at the time of, and in the amount equivalent to, the net sales of foreign currency that the Bank does and that on their own determine a decrease in the circulation of currency or in the amount of on demand obligations payable by the Bank.

Chapter V

Issuance of Regulations and Sanctions

ARTICLE 24.- Banco de México shall be entitled to issue regulations in terms of the present Law for the sole purpose of monetary or exchange control, the sound development of the financial system and of the payment system, or the protection of the public interest; this without prejudice of the other provisions that the contents of other laws empower

the Bank to issue in the matters indicated therein. When issuing its regulations, the Bank must indicate the reasons for doing so.

(Paragraph amended in the Federal Official Gazette on January 10, 2014)

Said regulations must be of general applicability, and may be pertinent to one or several types of intermediaries, to certain types of transactions, regions or locations.

The sanctions that the Banco de México imposes pursuant to the contents in article 36 Bis of the present Law to provide to the compliance of the regulation that it carries out, must have the objective to preserve the effectiveness of the provisions of public order established in the present Law and in the others that empower the Bank to regulate the matters that are indicated to this effect and in this way provide, where pertinent, to the purposes mentioned in the first paragraph of this provision.

(Paragraph amended in the Federal Official Gazette on January 10, 2014)

For the imposition of the sanctions that the present Law refers to, the Banco de México will establish the procedure as well as the form and terms that its administrative units must follow, in the rules issued to this effect.

(Paragraph added in the Federal Official Gazette on January 10, 2014)

ARTICLE 25.- Banco de México shall determine the conditions under which credit institutions must exchange and withdraw banknotes and metallic coins in circulation.

ARTICLE 26.- The characteristics of the active, passive, and service transactions that the credit institutions carry out, as well as those of credit, loans and repurchase agreements that are executed by stock exchange intermediaries, shall abide by the regulations issued by the Central Bank. Furthermore, the financial entities must comply with those other provisions of general nature that are issued by the Banco de México in the exercise of the powers that the laws that regulate the cited entities vest onto the Bank to regulate the matters that are indicated to the effect.

(Paragraph amended in the Federal Official Gazette on January 1, 2014)

Banco de México will regulate the fees and interest rates, actives and passives, as well as any charge of transactions entered into by financial institutions with customers. For the exercise of such powers, Banco de México may request the opinion of the National Banking and Securities Commission, the National Commission for the Protection of Users of Financial Services or the Federal Antitrust Commission and apply for such purposes the provisions of the Financial Services Transparency and Regulation Law.

(Paragraph added in the Federal Official Gazette on May 25, 2010)

The provisions of this article shall also apply to trusts, mandates and commissions of the stock exchange intermediaries and insurance and bonding companies.

ARTICLE 27.- The Banco de México will take into account the following in the imposition of the sanctions that this Law refers to:

- I. The profit obtained, as well as the amount of loss or monetary damage caused, whatever the case may be;
- II. The risks that the intermediaries and entities in question incurred upon in the entering into transactions that gave place to the corresponding sanction;
- III. The term that the default shall last;
- IV. The recidivism, the causes that originate it and the corrective action applied by the presumed transgressor, in its case.

Whoever incurs in a violation that was penalized and commits the same violation within the two years immediately following the date on which the corresponding resolution was finalized will be considered a recidivist.

The recidivism may be penalized with a penalty whose amount equals up to double the amount that originally corresponded;

V. The seriousness of the violation committed;

VI. The economic capacity of the transgressor; and

VII. The other particular circumstances that the Banco de México deems applicable for the individualization of the respective sanction.

In the case of the sanctions that subsections a) and b) of section III article 36 Bis refer to, the Banco de México will take into account, in addition to the aspects referred to in the previous sections, the causes that would have originated the shortages that gave place to the corresponding violation and in particular, if these were due to abnormal fund withdrawals, critical situations of the intermediaries, or to errors or omissions of administrative nature in which, in the Bank's opinion, no bad faith was involved.

Considering the circumstances of each case, the Banco de México may, in addition to imposing the penalty that corresponds, reprimand the transgressor, or, only reprimand him/her considering his/her background, the seriousness of the behavior, that the interests of third parties are not affected, and, in its case, the existence of mitigating factors. For effects of this article, a mitigating factor in the imposition of administrative sanction, among others, will be considered when the presumed transgressor attests before the Bank to having compensated the damage caused.

The Banco de México may abstain from penalizing the financial entities or intermediaries, provided the cause for such an inaction is justified and there is reference to facts, acts, or omissions that do not show seriousness, recidivism does not exist, enough elements do not exist to demonstrate that the interests of third parties or of the financial system are affected and these do not constitute a crime.

(Article amended in the Federal Official Gazette on January 10, 2014)

ARTICLE 28.- Banco de México is entitled to determine the portion of credit institutions' liabilities that must be invested in cash deposits in the Central Bank, bearing interest or not, in highly tradable securities, or in both types of investments.

The previous paragraph will also apply to trusts, agencies and commissions, except for those constituted by the Federal Government, through which trust institutions take deposits from the public or receive funds for the purpose of granting credit or investing in securities.

The mandatory investments referred to in Paragraphs One and Two of this article cannot exceed twenty and fifty percent, respectively, of the corresponding liabilities or funds.

The Bank may also determine that up to one hundred percent of the resources taken in deposit by credit institutions for specific purposes, or in accordance with special regimes provided by law, remain invested in certain types of assets consistent with said purposes or regimes.

ARTICLE 29.- (Repealed)

(Article repealed in the Federal Official Gazette on January 10, 2014)

ARTICLE 30.- The Bank representatives in the Board of Governors of the supervisory commissions of the financial system will be entitled to suspend the implementation of resolutions adopted by said commissions for up to five business days, if these resolutions may affect monetary policy. Within this period of time, the Bank must inform the respective Board of its points of view so that the Board may issue a final resolution.

Resolutions adopted by competent authorities regarding the purchase of securities payable by the Federal Government or by Banco de México, by investment companies must be approved by the Central Bank prior to their implementation.

ARTICLE 31.- The Central Bank may regulate fund transfer services provided by credit institutions and by other companies professionally devoted to providing such services.

ARTICLE 32.- Credit institutions, stock exchange intermediaries, foreign exchange firms, as well as other intermediaries existing as part of financial groups or subsidiaries of the aforementioned institutions or stock exchange intermediaries, will conduct their transactions with foreign currency, gold and silver as per the regulations issued by Banco de México. On equal terms, the Bank will have right of preference over any other person or legal entity with regard to purchases, sales and other types of transactions usually carried out in their respective markets.

Whenever the Bank so disposes, the aforementioned intermediaries will be obligated to make on demand money deposits, in favor of the Bank and payable by first rate foreign institutions, denominated in the foreign currency normally used by the Bank to take part in the foreign exchange market, for the amounts in which said intermediaries' assets in foreign currency, gold and silver exceed their respective obligations in the said effects. The Bank will credit the domestic currency equivalent of said deposits in the intermediaries' account, computed using the exchange rate published by the Bank in the Federal Official Gazette for the date on which the respective resolution is issued. Foreign currencies other than those referred to above, as well as gold and silver, will be valued as per regulations issued by the Bank, which shall reflect the prevailing market conditions on the corresponding date.

Taking the seriousness of each case into consideration, the Bank can order those financial intermediaries that infringe the provisions of this article to suspend all or some of their transactions in foreign currencies, gold or silver for up to six months.

ARTICLE 33.- Banco de Mexico may establish limits on the amount of the active and passive transactions that imply foreign exchange risks of the intermediaries mentioned in article 32.

(Paragraphs second and third repealed by amendment published in the Federal Official Gazette on January 10, 2014)

ARTICLE 34.- The agencies and entities of the Federal Public Administration that are not financial intermediaries must keep their foreign currency in their power and carry out their transactions with these, as per the regulations, guidelines and policies set forth by Banco de México. For this purpose, they will provide the Bank with the information the latter may request regarding their foreign currency transactions and will be obligated to alienate their foreign currency to the Bank itself in the terms of the provisions that the latter issues, which shall reflect prevailing market conditions.

ARTICLE 35.- Banco de México will issue regulations according to which the exchange rate or exchange rates will be determined for the purpose of settling, in domestic currency, payment obligations denominated in foreign currency, contracted within the national territory or abroad and payable within the national territory. Likewise, the Bank is entitled to establish the exchange rates applicable to transactions where domestic currency is exchanged for foreign currency, as long as both or one of the these provisions is performed within the national territory.

ARTICLE 35 Bis.- The Banco de México may supervise the financial intermediaries and entities subject to the regulation that it issues to provide to the compliance of the regulation that it carries out. Said powers will include those of inspection and surveillance to prove the compliance that the financial intermediaries and entities give to the provisions of the present Law and the provisions issued by the Banco de México. For the exercise of these powers, the Bank will act by own account pursuant to the provision in this same Law and the rules that to the effect are issued by the Board of Governors.

The Banco de México will carry out the inspection that the previous paragraph refers to through visits, verification of transactions, and revision of records and systems, in the installations, offices, branches, or automatic equipment of the intermediaries, to the ends of confirming compliance with the provisions issued by the Banco de México, subject to the exceptions established by special laws.

For effects of the provisions in the previous paragraph, the financial intermediaries, its representatives and its employees will be obligated to allow qualified personnel of the Banco de México access to the place or places and systems that are purpose of the visit, as well as to provide assistance and reports to said personnel for the development of their task.

In case the person or persons with whom the administrative-law proceedings of the visits that the Banco de México practices are dealt with, in terms of the rules that the present article refers to, refuse to receive the respective visit order or in any way hinder, obstruct, or drag out the practice of said proceeding, the financial intermediaries and entities in question will be sanctioned pursuant to the provisions of the first paragraph of article 36 Bis, section II, subsection b), of this Law, without prejudice that the Banco de México continues with the visit in terms of said rules.

The surveillance will be done through the analysis and monitoring of the information that the financial intermediaries supply to the Banco de México.

(Article added in the Federal Official Gazette on January 10, 2014)

ARTICLE 36.- Financial intermediaries must provide Banco de México with the information that the latter may request regarding their transactions, including some of their transactions or one in particular, as well as the data necessary to evaluate their financial situation and, in general, all information required by the Bank to adequately perform its functions.

Without prejudice to the powers of supervision considered in article 35 Bis of the present Law, the Banco de México will seek to coordinate with the supervisory committees of the financial system, with the intention of carrying out visits to

the intermediaries that are programmed yearly jointly with said authorities in accordance with their capacities, without prejudice of the visits that the Banco de México and the aforementioned authorities may practice in extraordinary form or in any given moment, pursuant to the applicable provisions.

(Paragraph amended in the Federal Official Gazette on January 10,2014)

Article 36 Bis.- The violations of the present Law or the provisions that the Banco de México issues based on this or the other laws that are referred to in the first paragraph of article 26 will be penalized with an administrative penalty imposed by the Banco de México pursuant to the following:

I. Penalty for an amount equivalent to 1,000 days of general minimum daily wage in the Federal District, in force on the day that the behavior is done, up to five percent of the total sum of the financial intermediary or entity in question's paid-in capital stock and stock reserves that it reports in terms of the applicable provisions, with the least anticipation to the date that the behavior subject matter of the sanction was done;

- a) To the financial intermediaries and entities for the active, passive or service transactions that it carries out in violation of the present Law or the provisions that it issues in terms of this same Law, as well as for the default on the other Bank provisions that other ordinances empower it to issue;
- b) To the financial intermediaries that carry out transactions indicated in the first paragraph of article 32, in violation of the provisions that the Bank issues to the effect, and
- c) To the financial intermediaries mentioned in the first paragraph of article 32 that transgress the limits that the Banco de Mexico establishes pursuant to article 33.

II. Penalty for an amount equivalent to 3,000 to 15,000 days of general minimum daily wage in the Federal District, in force on the day that the violating behavior is done;

- a) To the financial intermediaries and entities that default on the obligation to supply, in the form, conditions, terms and other characteristics that the Banco de Mexico determines, the information or documentation that the latter requests in terms of the provisions in this Law or in any other that grants powers for it, as well as in the provisions that, to those effects, are issued pursuant to said laws, and
- b) To the financial intermediaries and entities that refuse to receive a visit order, or in any way hinder, obstruct, or drag out the exercise of power of supervision of the Banco de México.

III. Penalty for an amount equivalent to 5,000 days of general minimum daily wage in the Federal District, in force on the day that the behavior is done, up to five percent of the total sum of the intermediary in question's paid-in capital stock and stock reserves that it reports in terms of the applicable provisions, with the least anticipation that the behavior subject matter of the sanction was done;

- a) To the financial intermediaries for incurring in shortages in regards to the investments that must be maintained pursuant to the provision in article 28 of the present Law, and
- b) To the financial intermediaries for abstaining from making the deposits that the second paragraph of article 32 of the present Law refers to when the Banco de México so defines.

As exception to the provision in this article, the sanctions that are indicated here will not be applicable in terms of default on provisions of the Banco de México established in other ordinances that, in turn, consider specific sanctions applicable to such events.

(Article added in the Federal Official Gazette on January 10, 2014)

Article 36 Bis 1.- The intermediaries and financial entities may submit an auto-correction program for the authorization of the Banco de México through its general director or equivalent with the opinion of the auditing committee, when these, in the fulfillment of their activities, or when the auditing committee as a result of the duties that are vested onto them, detect irregularities or defaults to the provisions in this Law and other applicable provisions.

In terms of the present article, the following may not be matter for an auto-correction program:

I. The irregularities or defaults that are detected by the supervisory committees of the financial system in the exercise of their powers of inspection and surveillance before the presentation by part of the financial intermediaries and entities of the respective auto-correction program.

In the case of powers of surveillance, it will be understood that the irregularity was detected previously by the supervisory committee of the financial system when the financial intermediaries and entities have been notified of the irregularity, and in the case of the powers of inspection, when the irregularity was detected in the course of the inspection visit or, corrected after a request in the course of the visit;

II. When the violation to the norm in question corresponds to a crime, or

III. When it is the case of any violations that the Banco de México, the laws or the applicable provisions consider serious.

(Article amended in the Federal Official Gazette on January 10, 2014)

Article 36 Bis 2.- The auto-correction programs that the foregoing article refers to will be subject to the provisions of general nature that are issued by the Banco de México. Additionally, they must be signed by the chair of the auditing committee of financial intermediaries and entities and be presented to the managing board or equivalent body in the session immediately following the authorization request presented to the Banco de México. Equally, they must include the irregularities or defaults committed and the provisions that were considered violated; the circumstances that originated the irregularity or defaults committed, and the actions adopted or that are intended to be adopted by part of the financial intermediaries and entities to correct the irregularity or defaults that prompted the program.

If in case the financial intermediaries and entities request a term to correct the irregularity or defaults committed, the auto-correction program must include a detailed calendar of activities to be carried out to this effect.

If the Banco de México does not order modifications or corrections of the auto-correction program to the financial intermediaries and entities in question within the twenty business days following its presentation, the program shall be held as authorized in all its terms.

When the Banco de México orders modification or corrections to the financial intermediaries and entities with the purpose that the program abides to the contents in the present article and other applicable provisions, these will have a term of five business days counting from the respective notification to correct such deficiencies. Said term may be extended in only one occasion for up to five additional business days with previous authorization by the Banco de México.

In case of not correcting the deficiencies that the previous paragraph refers to, the auto-correction program shall be held as not presented and, consequently, the irregularities and defaults committed may not be the purpose of another auto-correction program.

(Article added in the Federal Official Gazette on January 10,2014)

Article 36 Bis 3.- During the validity of the auto-correction programs that the Banco de México authorizes in terms of articles 36 Bis 1 and 36 Bis 2 of this ordinance, it will abstain from imposing the sanctions established in this Law or in the provisions it issues on the financial intermediaries and entities for the irregularities or defaults whose correction are included in said programs. Furthermore, during such period, the term of expiration to impose the sanctions will be interrupted, this term being renewed until it is determined that the irregularities or defaults purpose of the auto-correction program were not corrected.

The auditing committee of financial intermediaries and entities will be obligated to provide follow-up to the instrumentation of the authorized auto-correction program and inform of its progress, so much to the managing board and the general director or the equivalent bodies or people, as well as to the Banco de México in the form and terms that the latter establishes in the provisions of general nature that article 36 Bis 2 of this Law refers to. The foregoing, independent of the power of the Banco de México to supervise, in any given moment, the degree of progress and compliance with the auto-correction program.

If as a result of the reports from the auditing committee or of the tasks of inspections and surveillance of the Banco de México, the latter determines that the irregularities or defaults that are purpose of the auto-correction program were not corrected in the established term, it will impose the corresponding sanction, increasing the amount of this sanction by up to forty percent with this amount being updatable in terms of the applicable fiscal provisions.

The provisions in this article will be applicable to the Financial Entities and Clearing Houses that the Financial Services Transparency and Regulation Law refers to.

(Article added in the Federal Official Gazette on January 10,2014)

ARTICLE 37.- Banco de México can suspend all or some of its transactions with the financial intermediaries who infringe this Law or the regulations resulting thereof.

Chapter VI

Governance and Supervision

ARTICLE 38.- The performance of the functions and the administration of the Banco de México shall be entrusted to a Board of Governors and a Governor within their respective scopes of duty.

The Board of Governors shall be made up of five members, who shall be appointed pursuant to the provisions of Article 28 Paragraph Seven of the Constitution. From among these members, the Federal Executive will appoint the Governor of the Bank, who shall preside over the Board of Governors; the remaining members will be called Deputy Governors.

Public servants that fail to comply with the provisions of this Law may be subject to impeachment, as provided for in Articles 108 and 110 of the Political Constitution of the United Mexican States.

(Paragraph added in the Federal Official Gazette on May 25, 2010)

ARTICLE 39.- To be appointed a member of the Board of Governors, candidates must fulfill the following requirements:

I. Be a Mexican citizen by birth and not acquire any other nationality, with full capacity to exercise his or her political and civil rights and not older than sixty-five years old as of the starting date of his or her term in office; (Modified in the Federal Official Gazette on January 23, 1998).

II. Be of renowned competence in monetary matters, and have held high-ranking positions within the Mexican financial system or in agencies or institutions with functions of authority on financial matters for at least five years.

The provisions of the previous paragraph need not be observed for the appointments of two of the five members of the Board; nonetheless, the candidates must in all cases be distinguished professionals in economic, financial or legal matters. Neither of these two members may be appointed Governor before having completed three years in his or her position, and

III. Not have been convicted for willful crimes; disbarred from trade, or from holding posts, positions or commissions within the public service or the Mexican financial system; nor have been previously dismissed as member of the Board of Governors, except if such dismissal was the result of a physical ailment already overcome.

ARTICLE 40.- The Governor will be appointed for a term of six years and Deputy Governor for eight years. The term of the Governor will start on the first of January of the fourth year of the President of the Republic's term. The terms of the Deputy Governors will last each two years and shall begin on the first of January of the first, third and fifth year of the President's term respectively. The individuals occupying these posts may be appointed members of the Board of Governors for more than one term.

ARTICLE 41.- Vacancies in any post of Deputy Governor will be covered by the new member appointed to the Board of Governors. Should the vacancy be for the post of Governor, the Federal Executive may appoint one of the Deputy Governors already on duty to fill said vacancy, or appoint a new member of the Board of Governors and after the Board has been integrated, designate the Governor from among its five members. Before the new Governor is appointed, the Deputy Governor with more seniority will be the Interim Governor of the Bank and will preside over the Board of Governors. Should there be two or more Deputy Governors with the same seniority in the post, the Board of Governors will elect the Interim Governor from among them.

Members of the Board filling vacancies produced before the termination of ordinary terms will be appointed only for the time remaining until the conclusion of the term of the member being replaced. If upon termination of the Governor's term, a Deputy Governor on duty is appointed to the post of Governor, said appointment will be for six years independent of the time the appointee had been Deputy Governor.

ARTICLE 42.- The Governor and Deputy Governors must abstain from participating in the activities of political parties as Bank representatives.

ARTICLE 43.- Members of the Board of Governors may be removed from their posts as a result of:

I. Mental disability, as well as physical disability preventing the adequate fulfillment of their functions for more than six months;

II. Performing any job, position or commission other than those provided for in Article 28 Paragraph Seven of the Constitution;

III. Stop being a Mexican citizen or fulfilling any of the requirements set forth under Article 39 Section III;

IV. Failure to observe the agreements of the Board of Governors or deliberately acting in excess or in default of his/her duties;

V. Using the confidential information available to him/her as a result of his/her position in his/her own benefit or that of third parties, or disclosing said information without the consent of the Board of Governors;

VI. Knowingly submitting false information for the consideration of the Board of Governors, and

VII. Leaving his/her post without authorization from the Board of Governors or without justified motive, barring force majeure. The Board of Governors cannot authorize leave of absence for more than six months.

The Governor may also be removed for not observing the agreements sanctioned by the Exchange Commission.

ARTICLE 44.- The Board of Governors is entitled to determine whether the conditions for removal mentioned in the previous article have been met upon request by the President of the Republic or by at least two members of the Board. The opinion will be obtained by a majority of votes from the members of the Board of Governors and after having granted him/her the right to a hearing, without his/her participation in the vote.

The aforementioned opinion, including the documentary evidence supporting it and the written argumentation the affected party may have presented in its own defense, shall be sent to the Federal Executive. The Federal Executive shall in turn send it, together with the aforementioned documentation and his/her considerations on the admissibility or inadmissibility of the removal, to the Senate or, should the latter not be in session, to the Permanent Commission, for a final resolution.

ARTICLE 45.- The Board of Governors may be summoned to meetings by the Governor or by at least two Deputy Governors. At least three Board members must be present at any meeting of the Board. Should the Governor not be present at a meeting, the session will be presided over by the member appointed by the Governor for that purpose or, if no member was appointed for the task, by the corresponding Deputy Governor as per the procedure set forth under Article 41 Paragraph One.

For resolutions to stand, they must be approved by the majority vote of those members present, except in the case described in Article 44 first paragraph. The member presiding over the session shall have the decisive vote in case of a tie.

The Secretary and Undersecretary of Finance and Public Credit may attend the Board of Governor's meetings with voice but without vote for which purpose they shall be previously called and informed of the corresponding agenda. These officials may call a Board of Governors meeting and suggest issues to be addressed during the meeting.

The Board of Governors may call for the presence of Bank officials at its meetings so that they may directly furnish the information requested from them.

Individuals attending the meetings must maintain the confidentiality of the issues addressed therein, excluding any information to be disclosed upon prior authorization by the Board of Governors.

ARTICLE 46.- The Board of Governors shall be empowered to:

I. Determine the characteristics of banknotes in accordance with provisions set forth under Article 5, and propose the metallic composition of coins for the consideration of the Ministry of Finance and Public Credit pursuant to the Monetary Act of the United Mexican States (*Ley Monetaria de los Estados Unidos Mexicanos*);

II. Authorize orders to mint coins and manufacture bank notes;

III. Decide on the demonetization of banknotes and on the procedures to destroy and render currency useless;

IV. Decide on the granting of the Bank's credit to the Federal Government;

V. Establish the Bank's operational policies and guidelines and determine the characteristics of transactions and those transactions which, owing to their importance, must be submitted each time to the Board's approval prior to their execution;

- VI. Authorize the issuance of monetary regulation bonds and set the characteristics thereof;
- VII. Determine the characteristics of securities payable by the Federal Government and issued by the Bank pursuant to Article 12 Section IV second Paragraph Two, as well as the conditions of placement of such securities and of those other securities referred to in said Paragraph;
- VIII. Establish the policies and guidelines according to which the regulations set forth under Chapter V should be issued, without affecting the powers of the Exchange Commission as set forth in Article 22;
- IX. Authorize the statements and reports issued by the Bank and by the members of the Board of Governors on the policies and activities of the Bank;
- X. Authorize the financial statements corresponding to each fiscal year as well as the consolidated monthly statements of account;
- XI. Issue the general rules and guidelines for the preparation and execution of the Bank's current expenditure and physical investment budget, as well as authorize said budget and any modification thereto that may be required throughout the financial year. The Board of Governors shall do the above in observance of the principle that the evolution of said budget remain consistent with that of the Federal Expenditure Budget;
- XII. Issue, subject to the general guidelines set forth in Article 134 of the Constitution, the rules according to which the Bank shall contract the purchases and sales of personal property, the leasing of all types of assets, the execution of real estate projects, and the procurement of all types of services;
- XIII. Decide on the purchase and sale of stocks or shares by the Bank, of companies that provide it services;
- XIV. Authorize the purchase and sale of real estate property;
- XV. Decide on the provisioning of the reserves referred to in Article 53;
- XVI. Approve the Bank's Internal Regulations, which shall be published in the Federal Official Gazette;
- XVII. Approve the General Labor Conditions that shall govern the relations between the Bank and its personnel and the Bank's wage scales. Wages earned by the Bank's officials and employees shall not exceed those earned by members of the Board of Governors, except in those cases in which a higher remuneration is required due to market conditions for a given professional specialty;
- XVIII. Appoint and remove the secretary of the Board of Governors and his/her alternate, both of whom shall be Bank officials;
- XIX. Appoint and remove officials holding the three top hierarchical ranks of the Bank's personnel;
- XX. Approve policies to cancel, either totally or partially, third parties debts payable to the Bank when it is evident that the collection of these debts will be impractical or uneconomical for the Institution, and
- XXI. Decide on issues submitted by the Governor for the consideration of the Board.

ARTICLE 47.- The Governor of Banco de México shall:

- I. Be in charge of the Bank's management, its legal representation and the fulfillment of the Bank's duties, without affecting the powers granted to the Board of Governors by this Law;
- II. Carry out the resolutions adopted by the Board of Governors and by the Exchange Commission;
- III. Submit the statements and reports issued by the Bank and referred to in Article 46 Section IX, and the documents referred to in Article 46 Sections X, XI, XII, XVI and XVII, for the consideration and, if applicable, for the approval of the Board of Governors;

- IV. Act on behalf of the Bank as its legal representative and trust officer;
- V. Be the liaison between the Bank and the Federal Public Administration;
- VI. Be the spokesman of the Bank, and be able to delegate this power onto the Deputy Governors;
- VII. Set up regional councils;
- VIII. Decide on the establishment, moving and shutting down of the Bank's branch offices;
- IX. Appoint the Deputy Governors who shall perform duties or commissions in representation of the Bank;
- X. Appoint and remove the Bank's legal representatives and trust officers;
- XI. Appoint and remove the personnel of the Bank, except for those officials referred to in Article 46 Section XIX;

(Subsection amended in the Federal Official Gazette on May 25, 2010)

XII. Establish the wages for the Bank's employees according to the wage scales authorized by the Board of Governors and authorize the programs for personnel training, and

(Subsection amended in the Federal Official Gazette on May 25, 2010)

XIII. Appear each year before committees of the Senate of the Republic, during the second ordinary period of sessions, to render a report on the fulfillment of its mandate.

(Subsection amended in the Federal Official Gazette on May 25, 2010)

ARTICLE 48.-The regional councils established in section VII of article 47 will only have the duties to consult, obtain, and disseminate general information of economic and, particularly, financial nature.

ARTICLE 49.- The remuneration of the Governor of the Bank, as well as those of the Deputy Governors, will be determined by a committee made up of the Chairman of the National Banking Commission and two individuals appointed by the Secretary of Finance and Public Credit. The appointments of these individuals should not represent conflict of interest and they should be renowned for their experience in the labor market pertinent to public and private credit institutions as well as to the corresponding regulatory authority agencies.

The committee shall meet at least once per year and shall make its resolutions by majority vote of its members, who shall have no alternates. In making its resolutions, the committee shall consider the current remunerations in the Bank and the evolution of remunerations in the country's financial system. The criterion guiding the committee's resolutions shall be that, in light of conditions in the aforementioned labor market, the Board of Governors ought to be made up of suitable members and the Bank ought to be able to hire and retain duly qualified employees.

ARTICLE 50.- The Secretary of Finance and Public Credit will request an accountants collegiate organization or institute widely representative of said profession to submit the name of three prestigious accounting firms, from which the Secretary, with the approval of the Federal Superior Audit's Surveillance Commission (*Comisión de Vigilancia de la Auditoría Superior de la Federación*), shall designate the external auditor of the Bank and hire its services on behalf of the Bank. The external auditor may not be hired for periods beyond five years.

(Paragraph amended in the Federal Official Gazette on April 9, 2012)

The auditor shall be fully empowered to examine and express his/her opinion on the Bank's financial statements and to review the Bank's accounting and all related documentation. The auditor shall send copies of the reviews submitted to the Board of Governors and a report on the execution of the Bank's current expenditure and physical investment budget to the Federal Executive and to the Congress of the Union.

Chapter VII

General Provisions

ARTICLE 51.- The Bank shall send the following to the Federal Executive and to the Congress of the Union, and during the recesses of the latter, to its Permanent Commission:

- I. In January of each year, a presentation of the monetary policy to be followed by the Bank during the respective year, as well as a report on the Bank's current expenditure and physical investment budget for the year; and
- II. No later than forty-five business days after the closing of each trimester, a report about the inflation, the economic evolution, and the behavior of the economic indicators of the country in said trimester, as well as the execution of the monetary policies of the trimester in question and, in general, the Bank's activities during said period in the context of the international and national economic condition.

Additionally, the Bank shall send a yearly report to the Congress of the Union regarding the exercise of the duties and powers that the Financial Services Transparency and Regulation Law vests onto it.

(Article amended in the Federal Official Gazette on May 25, 2010 and January 10, 2014.)

ARTICLE 52.- Any of the two Chambers of the Congress of the Union may summon the Governor of the Bank to report on the Bank's policies and activities.

ARTICLE 53.- Banco de México shall preserve the real value of the sum of its equity plus reserves whenever possible and increase said value in accordance with the actual increments in the gross domestic product. Banco de México may provision reserves in addition to those set forth in this article only when the additional reserves result from the reevaluation of the Bank's assets or when the Bank and the Ministry of Finance and Public Credit so agree.

ARTICLE 54.- The financial year of the Bank will begin on January first and will end on December thirty-first of every year, the Institution will be obligated to publish the end of year general balance, as well as an account statement consolidated the last day of every month.

ARTICLE 55.- The Bank shall be a non-profit institution and shall hand over to the Federal Government the full amount of its operating surplus after having provisioned the reserves set forth in this Law, provided this does not imply reductions in the reserves resulting from the reevaluation of assets. The handing over shall take place no later than April of the financial year following that to which the surplus corresponds.

ARTICLE 56.- The banknotes and metallic coins put into circulation by Banco de México shall be registered, at their face value, as liabilities in the Bank's balance sheet. For as long as the aforementioned currency is not put into circulation, it shall be registered in the Bank's assets at its manufacturing cost or purchase value, as the case may be; the corresponding entries shall be adjusted in accordance with changes in the replacement cost of said currency. Upon having been put into circulation for the first time, banknotes and metallic coins shall be written-off from the Bank's assets and charged to the profit and loss account. The Bank shall register the amounts earned from the sale of the metal obtained from coins withdrawn from circulation in its assets, and credit said amounts to the profit and loss account.

Coins referred to in Article 2 Paragraph C of the Monetary Act of the United Mexican States which are not intended as general means of payment, and those referred to in Article 2 Bis of said Law, will be registered as per the terms agreed upon by the Board of Governors.

ARTICLE 57.- Transactions set forth under Article 46 Section XII shall be carried out through public bidding, excluding the following:

- I. Purchases of foods or other perishables;
- II. When less than three suitable suppliers or bidders can be found;
- III. When a contract is terminated in advance or rescinded;

IV. When the amount of the contract does not exceed the equivalent of:

- a) Sixty times the general minimum wage per day in force in the Federal District elevated to the year, for the purchase, leasing and provision of services related to personal property;
- b) Ninety times the general minimum wage per day in force in the Federal District elevated to the year, for real estate projects, and
- c) Ten times the general minimum wage per day in force in the Federal District elevated to the year, for sale of personal property, as per appraisal carried out by a legally qualified person;

V. In the event of acts of God or force majeure;

VI. When conservation, maintenance, restoration, repair and demolition projects or services are required and it is impossible to precisely determine the scope, establish the list of items and amounts of work necessary, the specifications, or work schedule thereof;

VII. In the case of purchase or sale of real estate, as well as services related to real estate projects;

VIII. In the event of circumstances that may cause serious disruptions, losses or significant additional costs for the Bank;

IX. When, after having carried out two public biddings, the relevant contract cannot be awarded, or

X. In the case of purchase of materials required by the Bank to manufacture banknotes or procured for the minting of metallic coins.

ARTICLE 58.- The provisions relative to the bank and trustee secrets will be applicable to the Banco de México, the members of the Board of Governors, as well as to the bank officials and employees.

ARTICLE 59.- The following shall be non-union employees of Banco de México:

I. Officials with rank of Assistant Managers or above, employees with positions of ranking equivalent to that of those previously mentioned and employees personally and directly assigned to the Board of Governors and to the members thereof; advisors and secretarial personnel assigned to the aforementioned officials; heads of office or division; security personnel; pilots, copilots and flight engineers; technical personnel assigned to the foreign exchange, metals, investments, securities, and computer science services departments; operators and coders of telecommunication devices through which written documents are transmitted, as well as technical personnel handling confidential information, and

II. Personnel referred to in the Law to Implement Section XIII (Bis), Part B of Article 123, of the Mexican Constitution, who are not included in the above paragraph.

The Governor and the Deputy Governors of the Bank shall not be considered as part of the Bank's personnel.

ARTICLE 60.- Officials with rank of Assistant Manager or above and employees with positions of equivalent ranking may not hold any post, position or commission in the Federal Public Administration, excluding those in which they may act in representation of the Bank, or at educational, scientific, cultural or charitable organizations.

ARTICLE 61.- The Federal Law of Liabilities of Public Officers shall apply to members of the Board of Governors and to the Bank's personnel, subject to the following:

I. The application of the aforementioned Law and the strict enforcement thereof, excluding instances of Political Trial to which members of the Board of Governors may be subject, shall be the concern of a Liabilities Committee, which shall be made up by the member of the Board of Governors appointed by the Board and by the heads of the Bank's legal and comptroller departments.

The Board of Governors shall determine the accountability regarding violations perpetrated by members of the Board of Governors or by officials holding any of the three highest-ranking positions, and shall impose the corresponding

sanction. For this purpose, the Liabilities Committee shall submit the relevant file to the Board of Governors, and

II. Members of the Board of Governors, officials holding posts of Assistant Manager or above, and the personnel indicated in the Bank's Internal Regulations due to the nature of their duties, shall submit a statement of economic condition. This statement shall be submitted to the Bank's comptrollership, which shall keep record and follow up on the evolution of the mentioned economic condition, and inform the Liabilities Committee or the Board of Governors, as the case may be, of any observations that may result from such follow up.

No means of defense shall proceed before the Federal Court of Tax and Administrative Justice in regards to the resolutions set forth in this article.

(Paragraph amended in the Federal Official Gazette on December 12, 2000)

ARTICLE 62.- Banco de México shall be entitled to:

I. In collaboration with other competent authorities, prepare, collect and publish economic and financial statistics, operate information systems based thereon and collect the data necessary for such purposes;

II Carry out, directly or through third parties, the marketing of commemorative coins, and of bank notes and metallic coins with special packaging or finish;

III. Use the resources at its disposal to manufacture goods and provide services to third parties, provided that this does not hamper the proper accomplishment of its duties, and

IV. Purchase or lease the real estate property and contract the building contractors and services necessary or suitable for its proper operation and functioning, and sell the personal property that may become useless for such purposes.

ARTICLE 63.- Banco de México is forbidden to:

I. Grant collateral;

II. Purchase or lease real estate not required to perform its duties. Should the Bank find it necessary to receive real estate or rights over real estate in payment for credits granted, or when some of its real estate properties become nonessential for the execution of its duties, the Bank must sell said properties or rights within the term of three years, and

III. Purchase ownership interests in the capital of companies, excluding those providing the required or appropriate services for the performance of the Bank's functions.

Prohibitions or limitations hereunder shall not apply when the Bank acts in compliance with its labor obligations, or in compliance with obligations undertaken with the members of the Board of Governors in compensation for services provided. In these cases, the Bank may carry out the transactions and provision the reserves necessary or suitable for the fulfillment of said obligations.

ARTICLE 64.- The motion for reconsideration will proceed against the sanctions established in the present Law, which must be filed before the administrative unit that is determined in the Banco de México Internal Regulations within fifteen business days following the date of notification of such resolutions.

(Paragraph amended in the Federal Official Gazette on January 10, 2014)

The purpose of said motion shall be to revoke, modify or uphold the resolution being appealed. The petition's written request shall include the appellant's name and address, the resolution being appealed and the grievances claimed, backed by the necessary pieces of evidence and proof of the appellant's identity.

The motion's notifications, process and resolution shall be additionally bound by provisions in Articles 130, 132, 134, 135, 136 Paragraph Three, 137, 139 and 140 of the Federal Tax Code, as well as by the statutory laws applicable to these provisions.

ARTICLE 65.- The motion for reconsideration shall be resolved within twenty business days from the date of their filing; otherwise, the ruling being appealed shall be considered upheld. The motion will have to be exhausted before resorting to amparo proceedings.

When the aforementioned document does not indicate the grievances or act appealed, it shall be denied due to inadmissibility. Should any evidence be omitted, it shall be considered as not submitted.

The resolution of the motion shall include the settling of the appealed act, the legal foundation thereof and the resolution points.

No means of defense shall proceed before the Federal Court of Tax and Administrative Justice against the resolution provided for in this article.

(Paragraph amended in the Federal Official Gazette on December 31, 2000)

ARTICLE 66.- The resolutions provided for in Article 64 Paragraph One shall be carried out:

I. When no motion for reconsideration is filed within the term provided for in Article 64;

II. If the affected party does not substantiate having filed an amparo against said resolution within twenty business days following the date on which it was notified of the corresponding resolution.

III. If the aforementioned amparo claim results in a denial of the suspension of the appealed act, or

IV. If the suspension is granted as a result of the amparo claim, until the issuance of final judgement against the plaintiff in the amparo suit.

ARTICLE 67.- The penalties that the Banco de México imposes must be paid within fifteen business days following its notification. When the penalties are not paid in the term indicated in this paragraph, the amount will be updated from the month in which it should have been paid until the same is carried out, in the same terms that the Federal Tax Code establishes.

In case the financial intermediaries and entities pay the penalties imposed by the Banco de México within the fifteen business days indicated in the previous paragraph, a discount of twenty percent will be applied to the amount, provided that no means of defense was filed against said penalty.

The administrative enforcement proceeding for the collection of penalties not paid to Banco de México in a timely manner shall be carried out by the Ministry of Finance and Public Credit or by the Bank itself through the administrative department indicated in its Internal Regulations.

The unit indicated in the previous paragraph shall apply the provisions established in the Federal Tax Code for the administrative enforcement proceeding. The offices that should hear and resolve the motions established in the cited Code relative to this procedure will be indicated in the mentioned Internal Regulations.

If the Central Bank holds an account for the transgressor, it will not be necessary to apply the administrative enforcement proceeding due to the penalty being effective by charging the amount to said account.

(Article amended in the Federal Official Gazette on January 10, 2014)

ARTICLE 68.- The Bank's transactions will subject in addition to this Law and in the following order to the Credit Institutions Law, the commercial legislation, the generally accepted banking and commercial practices, the Civil Code for the Federal District in local matters and applicable to the Mexican Republic in Federal matters.

TRANSITORY ARTICLES

FIRST.- This Law shall become effective as of the first of April, 1994, excluding Paragraph Two of this article and Transitory Articles 3 and 13, which shall become effective as of the day following the publication of this Law in the **Federal Official Gazette.**

The first set of members of the Board of Governors shall be appointed pursuant to the provisions of this Law, and shall be appointed before the thirty-first of March, 1994.

SECOND.- The office term of the first Governor of the Bank shall conclude on the thirty-first of December, 1997. The terms of the first Deputy Governors shall conclude on the thirty-first of December, 1994, 1996, 1998 and 2000, respectively; the Federal Executive shall indicate which of the above terms corresponds to each Deputy Governor.

THIRD.- The remunerations of the Governor and Deputy Governors mentioned in the previous paragraph, for the Bank's first financial year, shall be determined pursuant to Article 49 of this Law prior to the appointment of said members of the Board of Governors.

FOURTH.- Instructions from the Federal Treasurer to the Bank, pursuant to Article 12 Section I, need not be transmitted in advance according to the terms set forth in said Section I for a period of three years as of the date on which this Law becomes effective. Within this same period, the Federal Treasurer may continue issuing checks and other documents referred to in Section III of the aforementioned article.

FIFTH.- Banco de México, as a decentralized agency of the Federal Government, is hereby transformed into the new legal entity subject to public law provided for in this Law, maintaining the legal ownership of all assets, rights and obligations of which this agency's equity was made up of.

SIXTH.- The Banco de México's Internal Regulations shall be issued within six months from the date on which the Board of Governors is legally integrated. Until such Internal Regulations are issued, the Internal Regulations published in the Federal Official Gazette on July 4, 1985, shall remain in force and the legal recourse set forth in Article 64 shall continue to be filed before Banco de México's Legal Division.

References made to the Director General of the Bank either in the Internal Regulations currently in force or in any other legal document shall be interpreted as referring to the Governor of the Bank, within the scope of the authority vested upon him by this Law.

SEVENTH.- The powers, mandates, designations of trust officers and, in general, all legal representation and powers granted by Banco de México prior to this Law going into effect shall remain in force until they are explicitly modified or revoked.

EIGHTH.- Metallic coins currently in circulation shall become part of the liabilities reported in the Bank's balance sheet as per the provisions of Article 56.

Federal Government funds deposited in the Banco de México derived from the difference between the face value of coins delivered by the Mint to the Bank up to one day prior to this Law entering into force and the costs incurred in the production thereof, shall remain in favor of the Bank.

NINTH.- Banco de México may put banknotes into circulation whose date of issuance is prior to the date on which this Law goes into effect at any time.

TENTH.- The Bank may continue to act as trustee for the trusts it presently administrates and which are not provided for in Article 7 Section XI, and may receive money bank deposits from such trusts.

Credits granted by Banco de México, prior to this Law going into effect, to the public economic development trusts administered by the Bank may continue under their terms until maturity, and may be renewed in one or more instances for a total duration of no longer than twenty years.

(Paragraph amended in the Federal Official Gazette on November 17, 1995)

Regarding trusts other than those referred to in Paragraph Two of this article, the Bank shall be entitled to waive its trustee commission when it so deems appropriate. In these cases, the replacement trustee shall be appointed by the following persons in the order of precedence indicated: the persons so empowered in accordance with the legal act by which the trust is bound; the settlor or settlors; the beneficiary or beneficiaries; or, lacking these, the same Banco de México. While the Bank remains as trustee of these trusts, the Bank may grant them financing of an exceptional nature, in order to prevent possible defaults on their obligations.

ELEVENTH.- While Banco de México issues the regulations provided for in this Law, those issued prior to this Law going into effect shall remain in force in their respective matters. The administrative measures taken pursuant to regulations hereby repealed shall remain in force until revoked or modified by competent authorities.

TWELFTH.- Financial intermediaries that performed transactions in violation of regulations hereby repealed and prior to this Law going into effect, shall be bound, regarding said transactions, by the regulations applicable at the time those transactions were performed.

THIRTEENTH.- The last financial year of Banco de México, as a decentralized agency of the Federal Government, shall begin on January 1, 1994, and end on March 31, 1994. During this period, the Bank shall not be subject to provisions set forth under Article 7 of Banco de México's Organic Law.

The first financial year of Banco de México as legal entity under this Law shall begin on April 1, 1994 and end on December 31, 1994.

The operating surplus of Banco de México, corresponding to the financial year referred to in this article's first paragraph, shall be handed over to the Federal Government no later than April 1995.

FOURTEENTH.- Within the month following that in which this Law becomes effective, Banco de México shall send the Federal Executive and the Congress of the Union or, if the case may be, to the latter's Permanent Commission, the documents referred to in Article 51 Section I corresponding to the Bank's first financial year, as well as a report on the evolution of Banco de México's domestic credit and the performance of the Federal Treasury's account that Banco de México manages on behalf of the Federal Government between January and March 1994.

Regarding the Bank's first financial year, the Bank will not be obligated to deliver the report referred to in Article 51 Section II.

FIFTEENTH.- As of the date on which this Law becomes effective, and until the total real value of the Bank's capital plus reserves exceeds twenty percent of the sum of banknotes and coins in circulation, plus the Bank's obligations in favor of the financial institutions and the Federal Government, excluding the deposits referred to in Article 9 Section I, the aforementioned total real value shall not be increased according to the expansion of the gross domestic product pursuant to provisions of Article 53. During this length of time, the Federal Government and the Bank may agree on reducing said total real value, provided that these reductions do not imply bringing said value below the equivalent of the aforementioned percentage nor result in monetary expansion.

SIXTEENTH.- The deposits referred to in Article 132 of the Credit Instruments and Operations General Law shall be made at *Nacional Financiera, S.N.C.* Deposits received by Banco de México prior to this Law becoming effective shall be maintained and handed over by the Bank pursuant to the applicable regulations.

SEVENTEENTH.- References made to Banco de México's Organic Law, or to itself, in laws, regulations, executive orders, administrative resolutions or other legal ordinances shall be interpreted as referring to this Law and to the Institution governed by it.

EIGHTEENTH.- Banco de México's Organic Law of December 21, 1984, is hereby repealed.

Article 31 Section IV of the Federal Public Administration Law, Article 13 Paragraphs One and Two of the Monetary Law of the United Mexican States, Article 48, Transitory Paragraphs Two and Twelve of the Credit Institutions Law, Article 24 of the National Savings Council Organic Law (*Ley Orgánica del Patronato del Ahorro Nacional*), and all other provisions opposing this Law, are hereby repealed.

Provisions regarding Banco de México set forth in Article 31 Section VII of the Federal Public Administration Law, in Articles 1, 8 and 14 of the Law that creates the Fund for Guarantee and Development of Agriculture, Livestock and Poultry (*Ley que crea el Fondo de Garantía y Fomento para la Agricultura, Ganadería y Avicultura*), and Articles 1, 2, 8 and 21 Section IV of the latter's regulatory law, are hereby annulled.

Mexico, Federal District on December 14, 1993. Rep. **Cuauhtémoc López Sánchez**, Chairman.- Sen. **Eduardo Robledo Rincón**, Chairman.- Rep. **Sergio González Santa Cruz**, Secretary.- Sen. **Israel Soberanis Nogueta**, Secretary.- Signatures

In compliance with the provisions in section 1 of article 89 of the Political Constitution of the United Mexican States, and

for its due publication and abidance, I issue the present Executive Order in the residence of the Federal Executive Power in Mexico City, Federal District, on December 15, 1993.-**Carlos Salinas de Gortari**.- Signature.- The Internal Affairs Secretary, **José Patrocinio González Blanco Garrido**.- Signature.

TRANSITORY ARTICLES OF EXECUTIVE ORDERS FOR AMENDMENTS

EXECUTIVE ORDER through which various provisions of the Credit Institutions Law, the Securities Market Law, the Credit Organizations and Auxiliary Activities Law, the Insurance and Mutual Insurance Companies Law, the Federal Bonding Companies Law, the Banco de México Law, and the Federal Treasury Service Law are amended, added, and repealed.

Published in the Federal Official Gazette on November 17, 1995

ARTICLE SIXTH.- The tenth transitory article, second paragraph of the Banco de México Law published in the **Federal Official Gazette** on December 23, 1993 is AMENDED, to be as follows:

....

TRANSITORY

FIRST.- The present executive order shall become effective the day following its publication in the **Federal official gazette**.

SECOND.- What is set forth in article 118-A of the Credit Institutions Law shall be applied on the adhesion agreement models that serve as base for the execution of agreements starting from when the present Executive Order goes into effect.

THIRD.- The credit institutions must establish the specialized units that article 118-B of the Credit Institutions Law refers to, in a term no greater than ninety days counting from the when the present Executive Order goes into effect.

FOURTH.-The claims presented by the users of the banking and credit services before the National Banking and Securities Committee, before the present Executive Order takes effect, shall continue to be processed until their conclusion, in the terms established by articles 119 and 120 of the Credit Institutions Law that are valid at the time of their presentation.

FIFTH.- What is established in the second and third transitory articles of the Executive Order through which various provisions in the Financial Group Law, the Credit Institutions Law, the Credit Organizations and Auxiliary Activities Law, the Securities Market Law, the Investment Companies Law, the Insurance and Mutual Insurance Companies Law, and the Federal Bonding Companies Law published in the Federal Official Gazette on December 23, 1993 are amended, added, and repealed is not applicable to the limited purpose financial institutions, financial leasing companies, factoring companies and insurance companies, subsidiaries, that result from the purchases that are authorized by the Ministry of Finance and Public Credit.

SIXTH.- The limited purpose financial institutions, credit auxiliary organizations, foreign exchange firms, insurance companies, and bonding companies must carry out, in its case, the necessary corporate acts to adjust their statutes to what is set forth in the present Executive Order within a maximum term of one hundred and twenty days from when the same takes effect.

SEVENTH.- The Federal Fund and Securities Surveillance Service Law published in the **Federal Official Gazette** on December 31, 1959 is hereby repealed however, it shall continue to be applicable in regards to violations and offenses that were committed during the validity of the referred to ordinance.

EIGHTH.- The provisions of the Regulations of the Federal Fund and Securities Surveillance Law, shall continue to be in force, provided the Regulations of the Federal Treasury Service Law is not amended, in the pertaining areas.

NINTH.- What is set forth by articles 25, 26, 27, and 28 of the Federal Treasury Service Law shall be applied to the requests of giving assets or services in payment that are presented starting from the date in which this Executive Order goes into effect.

Mexico, Federal District on November 9, 1995.- Rep. **Regina Reyes Retana Márquez**, Chairman.- Sen. **Ernesto Navarro González**, Chairman.- Rep. **Alejandro Torres Aguilar**, Secretary.- Sen. **Raúl Juárez Valencia**, Secretary.- Signatures."

In compliance with the provisions in section 1 of article 89 of the Political Constitution of the United Mexican States, and for its due publication and abidance, I issue the present Executive Order in the residence of the Federal Executive Power in Mexico City, Federal District, on November 15, 1995.-**Ernesto Zedillo Ponce de León**- Signature.- The Internal Affairs Secretary, Emilio **Chuayffet Chemor**- Signature.

EXECUTIVE ORDER through which various legal ordinances are amended.

Published in the Federal Official Gazette on January 23, 1998.

ENTIRE ARTICLE.- Articles 20 and 32, section I are hereby amended, and section I Bis to article 47 of the Mexican Foreign Service Law are added; articles 4, section I, 117, 161, first paragraph, and 173, second paragraph are amended, and article 148 Bis is added to the chapter denominated "Of the Recruitment", and one subsection F) to section II of article 170 of the Mexican Army and Air Force Law is added; article 57 is amended and one subsection E) is added to section I of article 105 of the Mexican Navy Law; article 4, section I of the Military Justice Code is amended; article 5 BIS of the Military Service Law is added; articles 106 and 108 of the Federal Judicial Power Law; 4, first paragraph of the Federal Tax Court Law; 9, section I of the Treatment of Minor Offenders Law for the Federal District in the matters of state jurisdiction and for all the Republic in matters of federal jurisdiction; 20, subsection a), 22 and 23, in its respective sections I, of the Attorney General's Office of the Republic Law; 19, 34 and 35, in its respective sections I of the Attorney General's Office of Justice of the Federal District; 76, 91, 103, 114, and 120, in its respective subsections a), of the Federal Code of Electoral Institutions and Procedures; 22 and 50, in their respective first paragraphs, of the Navigation Law; 7, first paragraph are amended and one second paragraph is added, articles 38 y 40, first paragraph of the Civil Aviation Law; 189, 216 and 612, section I of the Federal Labor Law; 267 of the Social Security Law; 156, section I, and 166, second paragraph, of the Security and Social Services Institute of the Federal Workers Law; 28, first paragraph, 50, section IV are amended, and section III of article 51 of the Social Security Institute for the Mexican Armed Forces Law is repealed; articles 21, section I of the Federal Government Controlled Entities Law, 51 of the Regulatory Law of Constitutional Article 27 in Nuclear Matters; 9, section I of the National Human Rights Commission Law; 8, section I of the Federal Notary Public Law; 6, second paragraph of the National Institute of Anthropology and History Law; 32, section I to III of the Foreign Investment Law; 14, section I of the General Law that establishes the Coordination Basis of the National Public Safety System; 5, section I of the Energy Regulatory Commission Law; 10, section 1 and 14, section I of the Pension Systems Law; 12, section I of the Agrarian Courts Law; **39, section I of the Banco de México Law**; 26, section I of the Federal Antitrust Law; 121, section I of the Federal Government Employees Law, Regulations of Section "B" of Constitutional Article 123; and 15, section I and last paragraph of the National Banking and Securities Commission Law are amended, to be as follows:

....

TRANSITORY

ENTIRE.- The present Executive Order shall become effective on March 20, 1998.

Mexico, Federal District on December 12, 1997.- Sen. **Heladio Ramírez López**, Chairman.- Rep. **Luis Meneses Murillo**, Chairman.- Sen. **José Antonio Valdivia**, Secretary.- Rep. **Jaime Castro López**, Secretary.- Signatures."

In compliance with the provisions in section 1 of article 89 of the Political Constitution of the United Mexican States, and for its due publication and abidance, I issue the present Executive Order in the residence of the Federal Executive Power in Mexico City, Federal District, on December 30, 1997.-**Ernesto Zedillo Ponce de León**- Signature.- The Internal Affairs Secretary, **Emilio Chuayffet Chemor**- Signature.

EXECUTIVE ORDER through which the Bank Savings Protection Law is issued, and various provisions of the Banco de México Law, the Credit Institutions Law, the Securities Market Law, and the Financial Groups Law are amended, added, and repealed.

Published in the Federal Official Gazette on January 19, 1999.

ARTICLE SECOND.- Various provisions of the following laws are amended, added, and repealed:

I. From the Banco de México Law, article 7th, section III is **AMENDED** to be as follows:

....

TRANSITORY

FIRST.- The article second of the present Executive Order shall take effect the day following its publication in the **Federal Official Gazette**.

SECOND.- Subsections a), b), c), and d) of section III of article 7th of the Foreign Investment Law are repealed.

THIRD.- The shares of series "A" and "B" that represent the capital stock of the holding companies of financial groups, commercial banks, securities firms, and stock exchange specialists, hereby become series "O" shares with the characteristics that are included in articles 18 of the Financial Groups Law, 13 of the Credit Institutions Law, and 17-Bis of the Securities Market Law, without the need for an agreement by the shareholders' meeting and shall begin when the present Executive Order becomes effective. Due to the foregoing, the financial entities cited above must carry out the respective exchange in accordance with what is established in the following article.

FOURTH.- The exchange of shares that the holding companies of financial groups, credit institutions, securities firms, and stock exchange specialists are to carry out shall adjust to the following:

I.- It shall be formalized through petition from the cited financial entities to the institution for the deposit of securities where the shares that are object of the exchange are kept.

The chairman and secretary of the managing board of the financial entities mentioned in the first paragraph of this article shall have a term of five years, counting from when this Executive Order becomes effective to present the petition that this section refers to, to the ends of cancelling the series "A" and "B" share certificates, issue the shares of the new "O" series, and deposit these last ones in some institution for the deposit of securities, pursuant to what is set forth in articles 18-bis, first paragraph of the Financial Groups Law, 12, first paragraph of the Credit Institutions Law, 17-bis, penultimate paragraph, 67 and 74 of the Securities Market Law;

II.- The shares that result from the exchange must represent the same participation of the paid-in stock then of the shares exchanged;

III.- The sale of shares shall be not be considered, for effects of the Income Tax Law, provided the exchange that this article refers to does not imply a change of the holder of the shares, and

IV.- For effects of the section above, the average cost of the shares that result from the exchange shall be what corresponds to the exchanged shares.

FIFTH.- Once the term that section I of the article above refers to has elapsed, without what is set forth in said provision being fulfilled, the holders of the shares may not exercise the corporative and property rights that correspond to them, nor may the holding company, commercial bank, securities firm, or stock exchange specialist in question register the transfers that intend to be registered in the shareholders' book regarding the series "O" shares, until the exchange and deposit indicated in the cited section I of the article above are done.

SIXTH.- The financial companies of financial groups, credit institutions, securities firms, and stock exchange specialists, as well as the subsidiaries of the kind of the financial entities cited, whose shares, in its case, stayed registered in the Securities and Intermediaries National Registry before the present Executive Order became effective, must give notice to the Securities National Registry of the exchange carried out in the terms and conditions indicated in the Third and Fourth Transitory articles above for effects of maintenance and other legal consequences that correspond.

SEVENTH.- The holding companies of financial groups, commercial banks, securities firms, stock exchange specialists and subsidiaries of the kind of the financial entities above, shall have a term of three years counting from when the present Executive Order takes effect, for its managing board and surveillance body to adjust to what is set forth in articles 24 and 27-L of the Financial Groups Law, 22, 26, and 45-K of the Credit Institutions Law, and 17 Bis 1 and 28 bis 11 of the Securities Market Law, as they corresponds.

The directors and examiners of the series "A", "B", and "F" of the mentioned financial entities shall continue in the performance of their duties as long as the appointment that corresponds in terms of what is established in the provision referred to in the paragraph above are not done, and while those appointed take possession of their posts.

Mexico, Federal District on December 13, 1998.- Rep. **Luis Patiño Pozas**, Chairman.- Sen. **José Ramírez Gamero**, Chairman.- Rep. **Horacio Veloz Muñoz**, Secretary.- Sen. **Gabriel Covarrubias Ibarra**, Secretary.- Signatures."

In compliance with the provisions in section 1 of article 89 of the Political Constitution of the United Mexican States, and for its due publication and abidance, I issue the present Executive Order in the residence of the Federal Executive Power in Mexico City, Federal District, on December 31, 1998.-**Ernesto Zedillo Ponce de León**- Signature.- The Internal Affairs Secretary, **Francisco Labastida Ochoa**- Signature.

EXECUTIVE ORDER through which various tax provisions are amended.

Published in the Federal official gazette on December 31, 2000.

Transitory Provisions of the Federal Tax Court Law

Article Eleventh. In relation to the amendments that article tenth of this Executive Order refers to, the following shall be followed:

- I. The amendment of article 28 of the Federal Tax Court Law shall take effect on February 1, 2001.
- II. For the effects of article 31 of the Federal Tax Court Law, the lawsuits presented before January 1, 2001 shall be of the competence of the Regional Chamber that corresponds, pursuant to the cited article 31, in force until December 31, 2000.
- III. The denomination of the Federal Tax Court is amended to the Federal Court of Tax and Administrative Justice. Consequently, the Federal Tax Court Law is amended, both in its title and in its provisions, as well as in all those included in the Federal Fiscal Code and in the other federal fiscal and administrative laws in which the Federal Tax Court is cited, to substitute that name for Federal Court of Tax and Administrative Justice.

TRANSITORY

FIRST. The present Executive Order shall take effect on January 1, 2001.

SECOND. The mentions of the Ministries in the present Executive Order whose denominations are modified by effects of the Executive Order published in the **Federal Official Gazette** on Thursday, November 30, 2000, through which the Federal Public Administration Law was amended, shall be understood pursuant to the denomination that is established for each of them in the latter.

Mexico, Federal District on December 28, 2000.- Sen. **Enrique Jackson Ramírez**, Chairman.- Rep. **Ricardo Francisco García Cervantes**, Chairman.- Sen. **Yolanda González Hernández**, Secretary.- Rep. **Manuel Medellín Milán**, Secretary.- Signatures".

In compliance with the provisions in section 1 of article 89 of the Political Constitution of the United Mexican States, and for its due publication and abidance, I issue the present Executive Order in the residence of the Federal Executive Power in Mexico City, Federal District, on December 29, 2000.-**Vicente Fox Quesada**- Signature.- The Internal Affairs Secretary, **Santiago Creel Miranda**- Signature.

EXECUTIVE ORDER through which various provisions of the Financial Services Transparency and Regulation Law, the Credit Institutions Law, the Credit Information Bureaus Law, the Law for Transparency and Development of Competition in Secured Loans, and the Banco de México Law are amended, added, and repealed.

Published in the Federal official gazette on May 25, 2010

ARTICLE FIFTH. A second paragraph of article 26 is added and the following is moved up; a third paragraph to article 38; section XIII to article 47; and a last paragraph to article 51 of the Banco de México Law are added, to be as follows:

.....

TRANSITORY

First. The present Executive Order shall become effective the day following its publication in the Federal Official Gazette.

Second. The Banco de México shall issue the provisions of general nature that article 4 Bis of the Financial Services Transparency and Regulation Law refers to in a term of sixty calendar days counting from the day following when the present Executive Order takes effect.

Third. The Entities shall have a term of ninety calendar days counting from the day after the Executive Order goes into effect to comply with what is set forth by article 4 Bis 1 of Financial Services Transparency and Regulation Law and 48 Bis 2 of the Credit Institutions Law in the matter of basic product of credit card.

Fourth. The Entities that operate as Clearing Houses, before the present Executive Order becomes effective, in terms of what is set forth by articles 19 and 19 Bis of the Financial Services Transparency and Regulation Law shall have a term of ninety calendar days counting from the date on which the provision of general character that is issued under the cited precepts become effective, to present the respective authorization request.

Fifth. The Companies shall have a term of one hundred and eighty calendar days counting from the day after the present Executive Order becomes effective to comply with the obligations that articles 2 and 36 Bis of the Credit Information Bureaus Law refer to.

The Credit Information Bureaus shall have a term of up to one hundred and eighty calendar days starting from when the present Executive Order becomes effective to present the agreement mentioned in article 36 of the cited Law to the Commission.

The Credit Information Bureaus must obtain the authorization from the National Banking and Securities Commission in respect to the rates that said bureaus must offer their Users for credit reports in terms of article 36 of the Credit Information Bureaus Law within the one hundred and eighty calendar days after the present Executive Order takes effect.

Sixth. For the effects of article 20, the Bureaus must eliminate, in a term of 90 calendar days, the records from their databases whose origin were not informed to the Users before the reform. For them to be recorded once again, the Users must specify the date of origin of the credit and of its first default, the latter may not be greater than 72 months.

Mexico, Federal District on February 11, 2010.- Sen. **Carlos Navarrete Ruiz**, Chairman.- Rep. **Francisco Javier Ramirez Acuña**, Chairman.- Sen. **Martha Leticia Sosa Govea**, Secretary.- Rep. **Carlos Samuel Moreno Teran**, Secretary.- Signatures."

In compliance with the provisions in section 1 of article 89 of the Political Constitution of the United Mexican States, and for its due publication and abidance, I issue the present Executive Order in the residence of the Federal Executive Power in Mexico City, Federal District, on May 14, 2010.-**Felipe de Jesús Calderón Hinojosa**- Signature.- The Internal Affairs Secretary, **Fernando Francisco Gómez Mont Urueta**- Signature.

EXECUTIVE ORDER through which various Federal Laws are amended with the purpose of updating all those articles that make reference to the Federal Ministries whose denominations were modified and to the Government of the Federal District where it pertains; as well as eliminating the mention of the administrative departments that are no longer valid.

Published in the Federal official gazette on April 9, 2012.

ARTICLE TWENTY-SIXTH. Article 50, first paragraph of the Banco de México Law is amended, to be as follows:

.....

TRANSITORY

FIRST.- The present Executive Order shall take effect the day after its publication in the Federal Official Gazette.

SECOND. Starting from when the present Executive Order takes effect, the provisions that go against or oppose the same shall have no effect.

Mexico, Federal District on February 21, 2012.- Rep. **Guadalupe Acosta Naranjo**, Chairman.- Sen. **José González Morfin**, Chairman.- Rep. **Laura Arizmendi Campos**. Secretary.- Sen. **Renán Cleominio Zoreda Novelo**, Secretary.- Signatures.”

In compliance with the provisions in section 1 of article 89 of the Political Constitution of the United Mexican States, and for its due publication and abidance, I issue the present Executive Order in the residence of the Federal Executive Power in Mexico City, Federal District, on March 30, 2012.-**Felipe de Jesús Calderón Hinojosa**- Signature.- The Internal Affairs Secretary, **Alejandro Alfonso Poiré Romero**- Signature.

EXECUTIVE ORDER through which various provisions in financial matters are amended, added, and repealed and the Financial Groups Law is issued.

Published in the Federal official gazette on January 10, 2014

ARTICLE FORTY-THIRD.- Articles 7, section IX; 24, first and third paragraph; 26, first paragraph; 27; 36, second paragraph; 51 and 64, first paragraph are **AMENDED**; articles 24, last paragraph; 35 Bis, 36 Bis to 36 Bis 3, and 67, first and second paragraphs are **ADDED**, the first, second, and third current paragraphs moving up in their order, and Articles 29 and 33, second and third paragraphs are **REPEALED**, of the **Banco de México Law** to be as follows:

.....

Transitory Provisions

ARTICLE FIFTIETH.- In relation to the modifications that Articles Forty-First to Forty-Ninth of this Executive Order refer to, the following shall be followed:

- I. Article Forty-Third, which shall become effective thirty calendar days following the publication of the present Executive Order, and
- II. Article Forty-Seventh, which shall become effective seventy hundred thirty calendar days following the publication of the Executive Order through which the Bonding and Insurance Companies Law is issued and various provisions of the Insurance Contracting Law, published on April 4, 2013 in the cited Official Gazette are amended and added.
- III. The violations and crimes committed before the date on which the present Executive Order becomes effective shall be penalized pursuant to the law in force at the time when the cited violations or crimes are committed.

In the administrative procedures that are in process, the interested party may opt for a continuation in accordance with the procedure in force during the initiation or for the application of the provisions applicable to the administrative procedures that are stipulated through the present Executive Order.

- IV. The obligation of having the certification that article 4, section X of the National Banking and Securities Commission Law refers to shall become effective on January 1, 2015. The provisions of general character that said precept refers to shall be issued by the Commission no later than the month of September 2014.

.....

TRANSITORY

ENTIRE. The present Executive Order shall become effective the day following its publication in the Federal Official Gazette, except what is set forth in the ARTICLES TWENTY-FIFTH, section I; THIRTIETH, sections IV and VI; FORTIETH, sections I and II and; FIFTIETH, sections I and II, which shall become effective on the dates on which said provisions are established.

Mexico, Federal District on November 26, 2013.- Rep. **Ricardo Anaya Cortes**, Chairman.- Sen. **Raúl Cervantes Andrade**, Chairman.- Rep. **Javier Orozco Gomez**, Secretary.- Sen. **María Elena Barrera Tapia**, Secretary.- Signatures.”

In compliance with the provisions in section 1 of article 89 of the Political Constitution of the United Mexican States, and for its due publication and abidance, I issue the present Executive Order in the residence of the Federal Executive Power in Mexico City, Federal District, on January 9, 2014.-**Enrique Peña Nieto**- Signature.- The Internal Affairs Secretary, **Miguel Ángel Osorio Chong**- Signature.