

# The Parliamentary System of the Chamber of Deputies

Mrs Patricia FLORES ELIZONDO (Mexico)

Secretary General for Administrative Services of the Chamber of Deputies

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Mexico is organized as a representative, democratic and federal republic, composed of states that are free and sovereign in all their internal affairs, but united in a federation under the principles of our fundamental law. The nation's form of government is presidential.

The exercise of the highest power is divided into three branches: the executive, judicial and legislative. Two or more of these branches cannot join in a single entity or body, nor can the legislative power be deposited in an individual, except in the event of extraordinary authority in the federal executive.

## NATIONAL CONGRESS

The legislative power of the United States of Mexico is deposited in a General Congress that is divided into two Chambers: the Senate and the Chamber of Deputies.

The idea of a legislative branch formed by two chambers, one based on the population and the other on equal representation for each state—deputies and senators, respectively—has been a constant in the development of Mexican constitutionalism.

### Senate

The Senate is the legislative body that historically has had the purpose of balancing legislative activity, as well as safeguarding the federal contract, by assigning the 31 states and the Federal District the same number of seats, regardless of geographical size, population or economic importance.

At present, the Senate has 128 members: two are elected by each state and the Federal District according to the principle of the relative majority vote, and one is assigned to the first minority. The 32 remaining senators are elected by proportional representation, through a system of ballots in a single, pluri-nominal national district.

The Senate of Mexico is elected in its entirety every six years. Its members serve on two legislatures and cannot be reelected for the immediately following term.

## Chamber of Deputies

The Chamber of Deputies consists of national representatives elected for a term of three years, the duration of one legislature.

Three hundred deputies are elected by the relative majority vote in electoral districts containing a single state; and two hundred deputies are elected by proportional representation, on regional ballots in districts containing more than one state.

Deputies may not be reelected for the immediately following term.

To resolve matters under their authority, both chambers of the General Congress meet during two ordinary sessions each legislative year. The first session begins on the 1<sup>st</sup> of September and may not extend beyond the 15<sup>th</sup> of December, except during the years of presidential succession, when, according to the Constitution, the session must last until the 31<sup>st</sup> of December. The second ordinary session starts on the 15<sup>th</sup> of March and must conclude by the last day of April.

The Chamber of Deputies has the authority to legislate, in a successive manner with the Senate, on the matters foreseen primarily in Constitutional Article 73, as well as to exercise the functions of control conferred on it by the Constitution.

In addition to these powers, the Chamber of Deputies has the following exclusive responsibilities:

- a) To issue the solemn decree to declare the president-elect determined by the electoral court of the national judicial branch;
- b) To coordinate and evaluate the performance of the functions of the federal audit, the technical body responsible for inspecting the use of federal resources;
- c) To examine, discuss and approve the federal budget each year;
- d) To review the public accounts of the previous year, and
- e) To substantiate the process that establishes whether or not to proceed judicially against any public servant charged with wrongdoing, except in the case of the president, which corresponds to the Senate.

Currently serving is the 59<sup>th</sup> Legislature, which took office on September 1, 2003, and will finish its term on August 31, 2006. This Legislature is broad-based, with legislators from six political parties: the Partido Revolucionario Institucional with 224 deputies; the Partido Acción Nacional with 151 deputies; the Partido de la Revolución Democrática with 97 deputies; the Partido Verde Ecologista de México with 17 deputies; the Partido del Trabajo with 6 deputies and the Partido Convergencia por la Democracia with 5 deputies.

## THE INTERNAL ORGANIZATION OF THE CHAMBER OF DEPUTIES

The internal organization of the Chamber of Deputies in Mexico has the five fundamental divisions stipulated by the Organic Law: parliamentary groups; governing bodies (the board of directors, the political coordination board, and the conference for the direction and programming of legislative work); commissions and committees; the technical and administrative organization (the Secretary General); and other technical bodies (the controller, coordinator of social communication and the training unit).

## **Parliamentary Groups**

Article 70 of the Mexican Constitution guarantees the grouping of deputies by party affiliation in order to ensure the free expression of ideologies represented in the Chamber of Deputies.

Such a grouping of deputies is also defined in the Organic Law of Congress, which establishes them as Parliamentary Groups.

Each Parliamentary Group in the Chamber of Deputies must have at least five deputies. There is only one Group for each national political party with deputies in the Chamber.

Each Parliamentary Group is directed by a "Coordinator", who expresses the will of the Group and participates on the Political Coordination Board and the Conference for the Direction and Programming of Legislative Work.

Deputies who are not enrolled in a Parliamentary Group or cease to belong to such a Group are considered to be "deputies without a party".

## **Governing Bodies**

The Chamber of Deputies contemplates three governing bodies: the Board of Directors, the Political Coordination Board and the Conference for the Direction and Programming of Legislative Work.

### **(a) Board of Directors**

The Board of Directors directs the sessions of the Chamber of Deputies and ensures the proper procedures for debates, discussions and plenary voting. It guarantees that constitutional and legal indications prevail during legislative work.

The Board of Directors is elected by the plenary session of the Chamber, with at least two-thirds of the votes of the members present.

It is formed by a president, three vice presidents and three secretaries.

The Board of Directors serves for one year and may be reelected. Its president is the "President of the Chamber of Deputies" and at joint meetings with the Senate is the "President of Congress".

In addition, the president of the Board of Directors conducts institutional relations with the Senate, the other branches of the federal government, the branches of state governments and the authorities of the Federal District, in addition to having protocol representation in parliamentary diplomacy.

The vice presidents assist the president of the Chamber in carrying out his functions. The secretaries assist the president in conducting sessions.

#### **(b) Political Coordination Board**

The Political Coordination Board represents the expression of plurality in the Chamber of Deputies. It is the body that promotes understanding and political convergence among entities, in order for the Chamber to be able to adopt resolutions according to its constitutional and legal authority.

The Political Coordination Board is composed of the coordinators of the Parliamentary Groups. For the duration of the legislature, it is presided over by the coordinator of the Parliamentary Group having the absolute majority in the Chamber. If no Group has the absolute majority, the president's post has a one-year term and is filled successively by the group coordinators in decreasing order of the size of their membership.

One of the Board's responsibilities is to propose committee membership to the Chamber, as well as to designate delegations to attend inter-parliamentary meetings with representative bodies from other nations or bodies of a multilateral nature.

The Political Coordination Board presents the Chamber's proposed annual budget at the plenary session, and analyzes and approves the budgetary report presented by the Secretary General.

In addition, the Board assigns, according to law, the human, material and financial resources, as well as the spaces for parliamentary groups.

The Board has the authority to propose the creation of friendship groups to the Chamber, in order to follow up on bilateral accords with representative bodies from countries with which Mexico has diplomatic relations.

#### **(c) Conference for the Direction and Programming of Legislative Work**

The Conference for the Direction and Programming of Legislative Work is formed by the president of the Chamber of Deputies and the members of the Political Coordination Board. Presidents of commissions may attend Conference meetings that deal with matters within their sphere of authority.

The Conference's responsibilities include the following:

- To formulate the legislative program for the Chamber's sessions
- To prepare the calendar to cover the legislative program
- To determine the procedures to be followed by debates, discussions and deliberations
- To propose to the plenary session the statute that will guide the technical and administrative organization of the Secretary General and the Secretaries of Parliamentary, Administrative and Financial Services
- To promote work on commissions to prepare and comply with legislative work
- To present to the plenary session the proposed designations for the Secretary General and Internal Controller of the Chamber of Deputies.

## **Commissions and Committees**

### **(a) Commissions in the Chamber of Deputies**

The commissions, established by the full Chamber, contribute to the Chamber's compliance with its constitutional and legal responsibilities by preparing rulings, reports, opinions and resolutions.

The Chamber has the following types of commissions:

#### *Ordinary Commissions:*

Ordinary Commissions, which currently number 38 by Organic Law, are maintained from legislature to legislature. They may have up to 30 members. Deputies may serve on a maximum of three commissions, with the exception of the jurisdictional and investigative commissions.

#### *Ordinary Commissions with specific tasks:*

- The Commission of Rules and Parliamentary Practice is in charge of matters related to the norms that guide the Chamber's parliamentary activity.
- The Commission of the Federal District is responsible for legislative rulings and information related to the powers conferred on the Chamber by the Constitution.

- The Commission of Federal Supervision and Auditing carries out the tasks stipulated by the Constitution and applicable law.
- The Jurisdictional Commission forms the Instructive Section that is in charge of substantiating matters related to the responsibilities of public servants, in accordance with the Constitution.

### *Investigative Commissions*

Investigative Commissions are formed with a transitory nature to carry out the functions referred to in the third paragraph of Constitutional Article 93.

### *Special Commissions*

Special Commissions are formed by the Chamber to take responsibility for specific matters as deemed pertinent.

### **(b) Committees of the Chamber of Deputies**

The Committees, established by the full Chamber, provide assistance in Chamber activities by carrying out tasks other than those of the Commissions. Committees serve the terms indicated at the time of their creation.

By law, the Chamber has a Committee of Information, Administrative Procedures and Complaints to attend to citizen requests, and an Administrative Committee to assist the Political Coordination Board in its administrative functions.

### **Technical and Administrative Organization of the Chamber of Deputies**

#### **THE SECRETARY GENERAL**

The Secretary General of the Chamber of Deputies is responsible for coordinating and performing the duties that permit optimal compliance with legislative functions and efficient attention to the Chamber's administrative and financial needs.

The Secretary General provides the setting for coordinating and supervising the Chamber's services. The Secretary of Parliamentary Services and the Secretary of Administrative and Financial Services are responsible for providing these services.

The Secretary General is designated by the plenary session of the Chamber of Deputies, with the approving vote of two-thirds of the deputies in attendance, as proposed by the Conference for the Direction and Programming of Legislative Work.

The responsibilities of the position include directing and supervising the correct functioning of parliamentary, administrative and financial services, the formulation of annual administrative programs, and the execution of policies, guidelines and Conference agreements.

#### THE SECRETARY OF PARLIAMENTARY SERVICES

The Secretary of Parliamentary Services provides unity of action in parliamentary services. This position ensures impartiality in the services it oversees, and compiles and registers agreements, precedents and parliamentary practices.

The services provided by the position include assisting the president of the board of directors, offering support at Chamber sessions and for Commissions, and maintaining the registry of debates, in addition to archives and libraries.

#### THE SECRETARY OF ADMINISTRATIVE AND FINANCIAL SERVICES

The Secretary of Administrative and Financial Services provides unity of action and supervises the efficient functioning of the services for which the position is responsible.

The services provided by the Secretary of Administrative and Financial Services include supplying material and human resources, information services, and legal, safety and medical resources.

The Organic Law of Congress as relative to the Chamber of Deputies has a Statute for the organization and functioning of the secretaries and services, and thus establishes the norms and procedures for their creation.

#### **Other Technical Bodies of the Chamber of Deputies**

##### THE INTERNAL CONTROLLER

The Internal Controller is in charge of receiving complaints, carrying out investigations and audits and applying the procedures and sanctions inherent to the administrative responsibilities of public servants. The Controller works within the Conference and is proposed by the plenary session.

##### COORDINATION OF SOCIAL COMMUNICATION

The Coordination of Social Communication is in charge of making known the activities of the Chamber of Deputies. It serves as a liaison with the mass media and is responsible for the publications program. The Coordination of Social Communication depends on the

president of the Board of Directors and its organizations, functions and designated head are governed by the applicable Statute.

#### UNIT OF TRAINING AND CONTINUING EDUCATION

This unit is responsible for the training, updating and specialization of candidates and career officials in parliamentary, administrative and financial services.

#### PERMANENT COMMISSION

During the recesses of the Chamber of Deputies and the Senate, the Permanent Commission of Congress is installed. This government body consists of 19 deputies and 18 senators.

The members of the Permanent Commission are named by their respective chambers during the last ordinary session, and remain on the commission during the legislative recess. There is no legal impediment to their reelection.

The responsibilities of this body are rigorously determined in the Constitution and in general are of an administrative nature. The Permanent Commission has no legislating functions.

Its authorities include the following:

- i. To provide consent for the use of the National Guard in cases foreseen by the Constitution;
- ii. To receive, if necessary, the presidential oath;
- iii. To resolve matters under its authority;
- iv. To declare on its own, or according to presidential proposal, the calling of extraordinary sessions for one or both chambers of Congress;
- v. To grant or refuse the ratification of the Attorney General proposed by the president;
- vi. To authorize presidential absence for up to 30 days, and to name an interim replacement;
- vii. To ratify presidential assignments of cabinet members, diplomats, consuls, upper positions in the finance ministry, and other high posts in the national armed forces;



- viii. To receive and resolve requests for leaves of absence from members of Congress; and
- ix. To remove the head of the Federal District from office in the event of serious reasons that affect relationships with federal powers or public order in the Federal District.

Each legislative year has two recesses. During the first recess, the Permanent Commission meets in the Chamber of Deputies, and during the second recess, in the Senate.