
Passing of the bill that creates the Mexican Space Agency**Decree through which the Law that creates the Mexican Space Agency is issued**

On the margin a seal with the National Emblem that says: United Mexican States. Presidency of the Republic.

FELIPE DE JESÚS CALDERÓN HINOJOSA, President of the United Mexican States, to its inhabitants let it be known:

That the Honorable Congress of the Union has addressed to me the following

DECREE

"The General Congress of the United Mexican States decrees:

The Law that creates the Mexican Space Agency is issued.

SINGLE ARTICLE. ~~Passing of the bill~~The Law that creates the Mexican Space Agency is issued.

CHAPTER I**General Dispositions**

Article 1. The Mexican Space Agency is created as a decentralized public organisation with a legal disposition and its own property and with technical and managerial autonomy to fulfill its mandate, objectives and goals.

The agency will be part of the sector coordinated by the Ministry of Communications and Transport. Its legal quarters shall be in Mexico City, Distrito Federal, without prejudice to establishing offices and conventional quarters in any part of the country.

Article 2. The Mexican Space Agency shall have the following objectives:

- I. To develop and propose to the Minister of the Ministry of Communications and Transport the outlines of Space Policy of Mexico, as well as the National Program of Space activities;
- II. To execute the Space Policy of Mexico, through the development and application of the National Program of Space Activities;
- III. To promote the effective development of space activities to expand the country's capabilities in the educational, industrial, scientific and technological fields of space;
- IV. To develop the scientific- technological capacity of the country through the articulation of the sectors involved in all fields of space activity that enable their performance within a framework of national autonomy in the matter;
- V. To promote the development of space systems and media, technology and infrastructure needed for the consolidation and autonomy of this sector in Mexico;
- VI. To facilitate the incorporation of areas related to this policy and in particular the participation of the productive sector in order to gain competitiveness in the market of space goods and services;

VII. To promote active international cooperation through agreements which benefit space activities and allow the active integration of Mexico to the International Space Community;

VIII. To serve as an instrument of governance of the State in this sector, to strengthen sovereignty;

IX. Ensuring national security and interest, through a strategy that integrates scientific and technological knowledge, efficiency, experience and coordination ability among public agencies of the Federal Public Administration;

X. To ensure and preserve public interest and the protection of the population, as fundamentals of the development, security, peace and prevention of national security issues in Mexico,

XI. Receive proposals and comments from the public, private and social agencies in the special area for its study and consideration.

Article 3. Tools of Mexican Space Policy:

I. The selection of technological alternatives to solve national problems;

II. The development of specific solutions for specific problems;

III. The use of information and technology generated in space and related areas that are of interest and for the benefit of the Mexican society;

IV. Negotiations, agreements and international treaties in matters relating to space activities;

V. Research in space and the formation of high-level human resources and infrastructure necessary for that purpose;

VI. The recognition of the importance that development, appropriation and use of scientific knowledge and technological developments associated with the space research have to the economy, education, culture and social life;

VII. The academic exchange among national and foreign institutions of scientific and technological research;

VIII. The scientific and technological exchange and collaboration with other space agencies;

IX. The participation of Mexican companies with the technological capability to provide equipment, materials, supplies, and services that its projects or agencies require with which have protocols for exchange and collaboration, and

X. The adequacy of the national productive sector to participate and acquire competitiveness in markets for space goods and services.

Article 4. For the fulfillment of its objective, the Agency shall have the following functions:

I. Foster studies and development of scientific and technological research in the field, and priority attention areas as defined in the National Program of Space Activities;

II. Establish and develop activities to link with national academic, technological and professional institutions, dedicated to studies of specialties related to the subject;

III. Promote the development of space activities to expand the capabilities of the country, in this area as well as in the aviation industry, telecommunications and all its applications related to space science and technology;

IV. Support the adequacy of the sectors related to the space policy, particularly the productive, so that it is incorporated and participates competitively in the markets for space goods and services;

V. Promote training, the rapprochement and collaboration among institutions, national public and

private agencies, foreign or international, that carry out activities in space, as well as the development of space systems and media, technology, infrastructure and training of human resources required for the consolidation and autonomy of this sector in Mexico;

VI. Promote the signing of international bilateral and multilateral treaties, and to advise the Federal Government on the implementation of same, as well as on the interpretation of relevant international texts;

VII. Design strategies and tools for the development of the knowledge, dissemination and application of science and technologies associated with space research, in coordination with units of the three orders of government, as well as with the instances of private initiative and interested civil society organizations;

VIII. Define and promote programs, projects and actions to strengthen the knowledge and development of space research, its influence on everyday life and its potential as a factor in economic development;

IX. Promote research through institutions of basic and applied research and/or specialized firms, as well as the dissemination of their results and applications.

X. Conduct research, works, expert work and issue technical, scientific and legal opinions on the subject;

XI. Promote the training of specialists in space and its related disciplines, by linking activities and bachelor's degree, postgraduate studies and graduate programs and specialization courses, updating and training;

XII. Formulate and carry out educational projects of dissemination on the subject, as well as develop and promote the production of materials for diffusion;

XIII. Create and operate a system of information and consultation on the matter; maintain the national registry of activities and promote the development and formal space education, as well as the dissemination of studies on space research, and

XIV. Others that are derived from legal and administrative systems applicable to the subject

Article 5. These are functions of the Mexican Space Agency:

I. Coordinate the development of standardization, accreditation and certification systems in the field, in collaboration with the public agencies and competent foreign and international organizations;

II. Disseminate the provisions of the Constitution, this Law and the international treaties ratified by Mexico on the matter, in order to take advantage of development opportunities that will enable the latter and to issue to the three levels of government, recommendations pertinent to its development and utilization;

III. Promote and support the creation and operation of related bodies in the states and municipalities, in accordance with the laws applicable in federal entities and, according to their realities, needs and capacities of involvement in projects;

IV. Formulation of the National Program of Space Activities, to manage and implement the budget necessary for the realization of its goals, as well as to seek alternative sources of funding;

V. Advise and resolve queries posed by institutions and organizations of different levels and arms of government, on problems relating to concessions, permits and authorizations for the use, development and technological applications in outer space;

VI. Perform scientific events and technology in space, where members of the Agency and invited national

and foreign specialists participate;

VII. Propose the designation of representatives of the country to the international bodies in space of which Mexico is a part and establish the national position based on its competence;

VIII. Carry out and participate in actions and scientific and technological space events, in order to increase the national scientific technical competence and

IX. Carry out all the other similar acts that involve the realization of its functions.

CHAPTER II

Organization and Operation

Article 6. The Agency will have the following bodies of administration and government:

I. Board of Governors;

II. General Direction;

III. Supervising Body and

IV. Technical and administrative structures to be established in the Ordinary Statute

Article 7. The Board of Governors of the Space Agency Mexican will comprise 15 members, which will be:

I. The Minister of Communications and Transport, who shall preside over it;

II. A representative of the Ministry of Home Affairs that must have a level of assistant secretary;

III. A representative of the Ministry of Foreign Affairs that must have the level of assistant secretary;

IV. A representative of the Ministry of Public Education that must have the level of assistant secretary;

V. A representative of the Ministry of Finance and Public Credit that must have the level of assistant secretary;

VI. A representative of the Ministry of National Defense that must have the level of assistant secretary;

VII. A representative of the Naval Ministry that must have the level of assistant secretary;

VIII. The head of the National Council of Science and Technology;

IX. The Rector of the National Autonomous University of Mexico;

X. The Director General of the National Polytechnic Institute;

XI. The President of the Mexican Academy of Sciences;

XII. The President of the Academy of Engineering;

XIII. The President of the National Academy of Medicine;

XIV. A representative of the National Association of Universities and Institutions of Higher Education, and

XV. The head of the National Institute of Statistics and Geography

For each member of the Board of Governors there will be a representative designated by the Minister, who, in this case must have the level of director general or the equivalent. The representative will have the same powers as their title-holders and may attend, with voice and vote, meetings of the Board, when the respective member does not attend.

Article 8. The Board of Governors shall meet at least four times a year and the meetings can be ordinary and extraordinary.

It will convene validly with the attendance of at least eight of its members; and its resolutions shall be valid when they are taken by a majority of those present. Only in the case of a tie, the president of the Board of Governors shall decide with a casting vote.

The Board of Governors shall have a Technical Secretary and Deputy Secretary, who shall be responsible for preparing that which is necessary for its meetings, combining the basic portfolios and to following up on the agreements.

Article 9. The Board of Governors shall have the following indelegable powers:

- I. Develop and propose to the Minister of Communications and Transport the general lines of the national space policy of Mexico and, as well as the National Program of Space Activities;
- II. Define priorities, to identify and approve projects and programs of the Agency;
- III. Approve recommendations, guidelines and policy agreements and actions in space;
- IV. Propose and approve actions to ensure compliance with treaties, international conventions and agreements signed and ratified by Mexico on the subject;
- V. Approve policies in the field of evaluation, monitoring, advocacy and guidance of the Agency's programs;
- VI. Know and in its case approve the reports of the Director General;
- VII. Authorize programs and the draft budget of the Agency, as well as the modifications to its implementation;
- VIII. Know and in its case approve the financial statements of the Agency and to authorize its publication;

- IX. Approve agreements, bases of coordination and collaboration agreements with authorities and agencies associated with the subject, academic institutions, research and partnerships;
- X. Set the criteria and bases for coordination, participation and collaboration with authorities and institutions, individuals and social groups and autonomous institutions;
- XI. Establish criteria and bases to create or develop similar local associated agencies;
- XII. Analyze and in its case approve the By-law, Organic Statute, Organization Manual, Manual of Procedures and Manual of Agency Services, and
- XIII. The others that are highlighted in this Law and other legislation

Article 10. The Director General of the Agency shall be appointed and removed by the Mexican President. The appointment shall be for a period of four years with the possibility of an additional period.

In order to be the Director General the following requirements must be fulfilled:

- I. A Mexican citizen by birth, more than 30 years of age and be in full enjoyment and exercise of their civil and political rights;
- II. Held positions of high level decision-making and with knowledge and experience in technical and space subjects for at least five years, and
- III. Excluding any of the impediments that are established in the Federal Law of Public Entities, or the Federal Law on the Responsibilities of Public Officers.

Article 11. They are the causes for the removal of the Director General, those that are stated in the Federal Law of Responsibilities of Public Servants and the applicable legal framework.

Article 12. The Director General is responsible for the conduct, administration and good progress of the Agency, and shall have the following powers:

I. Development of the National Program of Space Activities and submitting it for the approval of the Board of Governors;

II. Holding and granting all kinds of acts and documents inherent to its objective;

III. Exercise the greatest powers of command, administration and litigation and payment, even those that require special authorization, according to other legal or regulatory provisions in accordance with the law;

IV. Issue, endorse and negotiate claims;

V. Make complaints and grant pardon;

VI. Exercise and desist from legal actions, including the defense trial;

VII. Negotiate matters in arbitration and conclude transactions;

VIII. Grant general and special powers of attorney with the authority that is incumbent upon it, including those that require authorization or a special clause;

IX. Inform the Board of Governors of its activities;

X. Develop the draft Internal Regulation, Natural Statute, the Manual of General Organization, the Procedures and the Agency's Services to the Public

XI. Substitute and revoke general or special powers of attorney;

XII. To follow up and implement the agreements of the Governing Board, and

XIII. The others that are outlined in the Natural Statute, the present Law and other legislation.

Article 13. Monitoring of the agency will be the responsibility of the Federal Government, through a Public Commissioner member and a substitute appointed by the Ministry of Public Service; the former shall be without prejudice to its own internal bodies of control that are an integral part of the organization's structure.

The Commissioner shall attend public, with voice but without vote, in meetings of the Board of Governors.

Article 14. The Public Commissioner must assess the global performance and through areas of the organisation, its level of efficiency, and adherence to the legal provisions, as well as the management of their income and expenditure, and may request, and the agency is under an obligation to provide all the information that may be required for carrying out its functions.

It will be responsible for the powers conferred upon it by the corresponding articles of the Federal Law of the Public Entities, as well as those of the Internal Regulation of the Agency and other applicable legal provisions.

Article 15. Labor relations between the Mexican Space Agency and its employees shall be governed by the provisions of Paragraph B of article 123 of the Constitution of the United Mexican States, the Federal Labor Law and other competent laws and regulations.

CHAPTER III Budget and Property

Article 16. The Agency will manage its property in accordance with the applicable legal provisions and the programs and budgets that are formulated annually and approved by its Board of Governors.

Article 17. The conventions of the Agency will be integrated with:

- I. The mobile and immobile property that is intended for its service;
- II. The amount allocated in the Expenditure Budget of the Federation for its operation;
- III. The income it receives for services rendered;
- IV. Donations and bequests to be granted in its favor;
- V. The other property, rights and resources to acquire by any other legal title;
- VI. The Agency's revenue generated by services, contributions, donations, or any other concept from its own activities or from institutions or agencies public or private, local or foreign, will not have to be concentrated in the Treasury of the Federation for reallocation to the Agency, and
- VII. The resources that are deposited into the Agency by the concepts identified in the preceding paragraph shall be applied specifically for the purposes, programs and projects that are approved by the Board of Directors.

Transitions Rules

First Article. This Decree shall enter into force on the day following its publication in the Official Gazette of the Federation.

Second article. The Board of Governors shall be installed in a period no greater than 45 calendar days following the entry into force of this Decree.

Third Article. Once installed the Board of Governors, will be organized and will convene forums and permanent working tables to ensure that in a period of no more than one hundred and eighty days, space specialists, national as well as foreign, as well as Institutions of Higher Education and Public Research Centres, could discuss and formulate general lines of Space Policy of Mexico that will be developed by the Mexican Space Agency.

Fourth Article. After completion of the forums and the permanent working tables, the President of the Board of Governors shall issue the call for the appointment of the Director General of the Mexican Space Agency, who shall be appointed for a period of no more than 30 calendar days from the issuance of the call and in accordance with the provisions of this Decree.

Fifth Article. The Director General of the Agency will have a term of 90 calendar days from his appointment to prepare and present the National Program of Space Activities, the draft Internal Regulation, as well as the draft Natural Statute which would enable the Agency fulfill its functions, which shall be approved by the Board of Governors in a period no greater than 90 calendar days from the date of its presentation.