

# Guide on requests for access to information

# 2018



Transparency Committee of the  
Mexican Senate



# GUIDE ON REQUESTS FOR ACCESS TO INFORMATION

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*The Transparency Committee offers the present guide, as a simple orientation on the procedure to follow the right of access to information in this Chamber of Senators*



## A. What laws recognize and ensure my right of access to information?

- Political Constitution of the United Mexican States (article 6, section A)
- General and Federal Law on Transparency and Access to Public Information (LGTAIP and LFTAIP).

## B. What is meant by request for public information?

It is a document people present to the Transparency Unit of the Mexican Senate, through which they may request public information in possession of this Chamber.

The foregoing, without the need to prove personality, interest, causes for which the request is presented or the purposes to which the information will be destined.

## C. What information can I request from the Mexican Senate?

All the information in possession of obligated subjects is public, except that classified as reserved and / or confidential, in which case, the Transparency Unit will inform you in a well-founded and motivated manner through a resolution of the Transparency Committee.

## D. What are the means to submit a request for information?

### **National Transparency Platform:**

<http://www.plataformadetransparencia.org.mx>

### **Senate's Infomex System:**

<http://infomex.senado.gob.mx/>

### **E-mail:**

[transparencia@senado.gob.mx](mailto:transparencia@senado.gob.mx)

Or, at the offices of the Transparency Unit located in Paseo de la Reforma 135, Office 14, GF, Tabacalera, Deleg. Cuauhtémoc, Zip Code 06030, since it is responsible for receiving and processing the requests for access to information made by people.

Also, the Transparency Unit will guide you at all times in the preparation of your application; and if required, it will make the necessary reasonable adjustments to guarantee the full exercise of your right of access to information.



## E. What are the requirements to submit a request?

- Name, or when applicable, the general information of your representative. (optional);
- Address or means to receive notifications;
- Clear and precise description of the requested information;
- Any information that facilitates its search (optional);
- Modality in which you prefer to be granted access to information.

You must take into account that, if the details provided by the request to locate the documents are insufficient, incomplete or erroneous, this Mexican Senate may request the missing information by means of a request, which will be issued within a maximum of 5 business days from the day following the presentation of the application, and you will have 10 business days, after receiving it, to provide the required information, otherwise your application will be considered as not submitted.

## F. How long will it take the Mexican Senate to answer a request for information?

The response will be notified within a period not exceeding 20 business days from the day after the application was submitted, exceptionally, this period may be extended for 10 more business days, when there are well-founded reasons, which will also be authorized by the Transparency Committee through a resolution that will be made known to you.

## G. Through what means can I request information?

Verbally, as long as it is for orientation purposes, through direct consultation, simple or certified copies, or by electronic means. However, in case it cannot be delivered or sent in the preferred modality, the Senate, through its Transparency Unit, will offer other modalities of delivery.

## H. Information Availability

The Mexican Senate will grant access to the documents that are in its files or that it is obliged to document according to its attribution, powers or functions, preferably in the format you require, according to the physical characteristics of the information or where it is located.

It should be noted that, when the required information is already available to the public in print media, such as books, compendia, brochures, public records, in electronic formats available on the Internet or in any other medium, you will be informed of the source, place and the way in which you can consult, reproduce or acquire such information.

It is important that you take into account that, if the delivery or reproduction exceeds the technical capabilities of this Mexican Senate to meet the requirements of the request, within the established deadlines, the requested documents will be made available to you for direct consultation, except classified information. In any case, a simple or certified copy will be provided, as well as its reproduction by any means available in the facilities of the Mexican Senate.



## I. Non attribution

When you enter a request for public information, and the Transparency Unit determines the notorious lack of attributions to attend it, it will be communicated to you within the first 3 business days after receipt of the request, and if it can be determined, you will be informed which subject, different to the Mexican Senate could provide you with the information.

## J. File a complaint

You will be able to express non-conformity when the information delivered falls into one of the following assumptions:

- The declaration of non-existence of information;
- The Senate's declaration of non attribution.
- The delivery of incomplete information;
- The delivery of information that does not correspond with the requested;
- Failure to respond to a request for access to information within the deadlines;
- The notification, delivery or provision of information in a different format than the one requested;
- The delivery or provision of information in an incomprehensible format
- The costs or the information's delivery time;

- Failure to process an application;
- Refusal to allow direct consultation of information;
- The lack, deficiency or insufficiency of the rationale and / or motivation in the response,
- Orientation to a specific procedure.

In your complaint, you must not omit the following requirements:

- The obligated subject before whom the request was submitted;
- The name of the appellant or his/her representative and, where appropriate, the interested third party, as well as the address or means indicated for receiving notifications;
- The answer folio number of the access request;
- The date on which the response was notified to the applicant or had knowledge of the claimed act, or of presentation of the request, in case of lack of response;
- The act referred to;
- The reasons for disagreement, and
- A copy of the disputed response.

You may file the document by yourself or through your representative, directly or by electronic means, before the guarantor agency or before the Transparency Unit within 15 days following the date of notification of the response, or from the deadline for notification.



## TRANSPARENCY COMMITTEE

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