

ORGANIC LAW OF THE NATIONAL INSTITUTE FOR ANTHROPOLOGY AND HISTORY

New Law, published in the Official Gazette of the Federation on February 3rd, 1939

CURRENT TEXT
Last amendment published OGF 23-01-1998

On the margin, a seal with the National Coat of Arms, which reads: United Mexican States.- Presidency of the Republic.

LAZARO CÁRDENAS, Constitutional President of the United Mexican States, declares to its residents that they may know:

That the Honorable Congress of the Union has sent me the following

L A W

"The Congress of the United Mexican States decrees:

ORGANIC LAW OF THE NATIONAL INSTITUTE FOR ANTHROPOLOGY AND HISTORY

ARTICLE 1. The National Institute for Anthropology and History is hereby created; said Institute shall have its own legal existence and will be an agency reporting to the Ministry for Public Education.

ARTICLE 2. The National Institute for Anthropology and History shall have the general goals of carrying out scientific research on the subjects of Anthropology and History, mostly related to the country's population, as well as with the preservation and restoration of the archaeological and historical cultural patrimony and with the paleontological patrimony; other goals are protecting, preserving, restoring and recovering said patrimony, as well as the promotion and publication of the subjects and activities which the Institute deals with.

In order to attain its goals, the National Institute for Anthropology and History shall have the following functions:

I. In terms of article 3 of the Federal Law on Archaeological, Artistic and Historic Monuments and Zones, to apply laws, regulations, decrees and agreements in those areas that concern the Institute.

II. To carry out scientific research pertaining to the Archaeology and History, the Anthropology and the Ethnography of Mexico.

III. In the terms of article 7 of the Federal Law on Archaeological, Artistic and Historic Monuments and Zones, to grant permissions and direct restoration and conservation work on the archaeological and historical monuments carried out by the authorities in the States and Municipalities.

IV. To propose to the authorities the issuing of regulations that contain general standards and techniques for the conservation and restoration of archaeological, historical and paleontological zones and monuments to be applied in a coordinated fashion with State governments and municipalities.

V. To propose to the Minister for Public Education the execution of coordination agreements with federal, State and municipal authorities for the purpose of improving protection and conservation of the nation's historical, archaeological and paleontological patrimony, as well as the traditional character of cities and towns.

VI. To promote, together with the States' governments and the municipalities, the preparation of manuals and booklets for the protection of the archaeological, historical and paleontological patrimony within their corresponding territories in order to adapt the national principles for conservation and restoration to the concrete conditions of States and municipalities.

VII. To carry out scientific research in the anthropological, historical and paleontological disciplines, be it theoretical or with a view to be applied to the solution of problems belonging to the country's population and to the conservation and social use of patrimony.

VIII. To carry out explorations and excavations for scientific purposes and to ensure the conservation of archaeological and historical monuments and of paleontological remains in the country.

IX. To identify, investigate, recover, rescue, protect, restore, rehabilitate, watch over and protect, in the terms provided by the Federal Law on Archaeological, Artistic and Historic Monuments and Zones any and all monuments and zones, as well as any movable assets associated with same.

X. To investigate, identify, recover and protect traditions, oral histories and customs as living heritage evidencing the creative capacity and sensitivity of all peoples and social groups in the country.

XI. To propose to the federal executive power the declarations of archaeological and historical zones and monuments and of areas with

paleontological remains, without affecting said executive power's capacity to issue these declarations directly.

XII. To keep the public record of archaeological and historical zones and monuments as well as that of areas with paleontological remains.

XIII. To establish, organize, maintain, administrate and develop museums, archives and libraries specializing in the different fields contemplated by this Law.

XIV. To formulate and publish the catalog comprising the national historical patrimony, both for goods belonging to the nation as well as those in the possession of private parties.

XV. To formulate and publish the catalog of archaeological and historical zones and monuments and the archaeological chart of the Republic.

XVI. To publish works related to the subjects the Institute deals with and to participate in the divulging of the assets and values that constitute the nation's cultural legacy, making them accessible to the community and promoting respect for and the social use of the cultural patrimony.

XVII. To promote, in agreement with the Minister for Public Education, formation of consulting Councils at the State level, for the protection and conservation of the archaeological, historical and paleontological patrimony, constituted by the State and municipal agencies, as well as by representatives of social, academic and cultural organizations interested in defending this patrimony.

XVIII. To teach in the areas of Anthropology and History, conservation, restoration and museology at the technical-professional, professional, post-graduate and educational extension levels and to issue credits for studies carried out, for the purpose of acquiring certificates and degrees.

XIX. To authorize, control, guard over and appraise, in the terms of the applicable laws, any actions of exploration and study carried out within the national territory by foreign scientific missions.

XX. To carry out, together with the Ministry of Foreign Affairs, any and all necessary actions needed for the purpose of obtaining the return of archaeological or historical assets that may be out of the country.

XXI.- Any others conferred by the laws of the Republic.

Article amended OGF 13-01-1986

ARTICLE 3. The Institute is able to acquire and administrate assets and shall constitute its patrimony with the following:

I. Any Real Estate that the Federal, State or Municipal Governments may have granted to it for the purpose of carrying out its functions or services.

II. Any movable assets currently in its possession, as well as any others that it may receive or acquire in the future.

III. Those it may acquire by reason of inheritance, legacy, donation or through any other means.

IV. The amounts assigned to it in the Federation's Expense Budget.

V. Any contributions given to it by public or private agencies, be them domestic, international or foreign.

VI. Any income generated through the sale of texts, publications, recordings, films, photographs, reproductions, cards, posters and other similar items.

VII. Any funds, products, royalties and fees for concessions, permits and inscriptions.

VIII. Any other income it may obtain legally, including public services.

Article amended OGF 13-01-1986

ARTICLE 4. Any assets the Institute may acquire from institutions and private persons or from foreign governments shall be exempted from any kind of contributions, taxes or rights.

Article amended OGF 13-01-1986

ARTICLE 5. In order to attain its goals, the Institute shall organize itself:

I. In accordance with its functions, in the areas of:

a) Anthropological, Archaeological and Historical research.

b) Conservation and Restoration of Cultural Assets.

c) Museums and Exhibits.

d) Teaching and Human Resource Formation in the fields related to the Institute.

II. In accordance to its territorial structure, in Regional Centers or Offices; and

III. In accordance with its administrative structure, in the units that this Law's regulations may establish for the better fulfillment of its functions.

Article amended OGF 13-01-1986

ARTICLE 6. The Institute shall have a General Director, freely named and removed by the Minister for Public Education.

In order to be the General Director of the National Institute for Anthropology and History, it is necessary to be Mexican by birth, not to have acquired another nationality, to be in full exercise of civil and political rights, to be older than 30 years of age, to have an academic degree and acknowledged merits in any of the subjects that are in the Institute's area of competence.

Paragraph amended OGF 23-01-1998

Article amended OGF 13-01-1986

ARTICLE 7. The following are prerogatives and obligations of the General Director:

- I. To legally represent the Institute.
- II. To grant, revoke and substitute powers-of-attorney.
- III. To reach agreements with the Minister for Public Education regarding matters in the Institute's area of competence.
- IV. To preside sessions at the General Consulting Council and propitiate its resolutions.
- V. To authorize and ensure compliance of the Institute's work programs.
- VI. To appoint and remove trusted staff in the terms of applicable legislation.
- VII. To propose regulation projects and approve the manuals necessary for the Institute's functioning.
- VIII. To execute contracts and carry out all kinds of property transfer acts.
- IX. To present the yearly budget project to the competent federal authorities in a timely fashion.
- X. To present the Institute's annual activity report to the Minister for Public Education, as well as the work program to be developed during the corresponding period.
- XI. To execute agreements with individuals or agencies and with public or private domestic, international or foreign entities.

XII. Any other conferred to it by Law, the Minister for Public Education and those which it should carry out in complying with its responsibilities.

Article amended OGF 13-01-1986

ARTICLE 8. The Institute shall have a General Consulting Council presided by its General Director and it shall be constituted by representatives of the Area Councils. Its constitution and functioning shall be regulated by this Law's regulations.

Article amended OGF 13-01-1986

ARTICLE 9. The working conditions of the Institute's staff shall be preserved according to their terms and will continue to be regulated by the State Workers Federal Act, which regulates section B) of article 123 of the Constitution.

Article amended OGF 13-01-1986

ARTICLE 10.- (Derogated).

Article derogated OGF 13-01-1986

ARTICLE 11.- (Derogated).

Article derogated OGF 13-01-1986

ARTICLE 12.- (Derogated).

Article derogated OGF 13-01-1986

ARTICLE 13.- (Derogated).

Article derogated OGF 13-01-1986

ARTICLE 14.- (Derogated).

Article derogated OGF 13-01-1986

ARTICLE 15.- (Derogated).

Article derogated OGF 13-01-1986

ARTICLE 16.- (Derogated).

Article derogated OGF 13-01-1986

ARTICLE 17.- (Derogated).

Article derogated OGF 13-01-1986

ARTICLE 18.- (Derogated).

Article derogated OGF 13-01-1986

ARTICLE 19.- (Derogated).

Article derogated OGF 13-01-1986

ARTICLE 20.- (Derogated).

Article derogated OGF 13-01-1986

TRANSITORY ARTICLE

SOLE.- This Law shall enter into force on the date of its publication in the Official Gazette of the Federation.- **Félix de la Lanza**, D. P.- **Alejandro Antuna López**, S. P.- **César Martino**, D. S.- **Camilo Gastélum Jr.**, S. S.- Signatures."

In compliance with the provisions of section I of article 89 of the Political Constitution of the United Mexican States and to ensure its due publication and compliance, I hereby issue this Decree at the residence of the Federal Executive Power, in Mexico City, Federal District, on the thirty-first day of the month of December, nineteen thirty-eight.- **Lázaro Cárdenas**.- Signature.- The State Secretary and Minister for Public Education, **Gonzalo Vázquez Vela**.- Signature.- Addressed to **Ignacio García Téllez**, Minister of the Interior.-

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