



Country case: Debarment from public procurement procedures for violations of integrity – Mexico



Public Procurement Principle: **Accountability, Risk management**



Procurement Stage: **Pre-tendering, Tendering**



Audience: **Policy makers, Procuring entity, Private sector**

Description

In Mexico, the Law on Public Sector Procurement, Leasing and Services (Ley de Adquisiciones, Arrendamientos y Servicios del Sector Público, LAASSP) includes various provisions on administrative sanctions for bidders and suppliers who have not complied with their contractual obligations (Articles 59 to 64 of the LAASSP). Penalties can range from a fine (multas) to debarment from public procurement procedures for a period from three months to five years (inhabilitaciones). The list of suppliers that have been sanctioned or debarred at least once is published online. It specifies the reasons for the sanction or debarment, the amount of the fine and the duration of the exclusion. In October 2016, 1 236 suppliers were listed as having been sanctioned or debarred.

The entry into force of the Federal Act on Administrative Responsibilities (Ley general de responsabilidades administrativas, LGRA) in July 2017 enriched the legislative framework for public procurement. Unlike the Federal Law on the Administrative Responsibilities of Public Servants (Ley Federal de Responsabilidades Administrativas de los Servidores Públicos, LFRASP), which it replaced, the LGRA also applies to suppliers and bidders. Article 81 provides for sanctions against companies involved in public sector activities who are found guilty of serious administrative misconduct. These are listed in articles 65 to 72 of the law and include collusion, influence peddling and bribery of public officials. Companies may be prohibited from participating in acquisitions, leases, services or public works for a period of three months to ten years.

Source: OECD (2020), [Integrity Review of Public Procurement in Quebec, Canada: A Strategic Approach to Corruption Risks](#), OECD Publishing, Paris

