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# Audience Rights: what was published on August 28, 2026 and what it implies for media, advertisers and brands

Analysis of Agreement P/CRT/EXT/26082026/109 by which the plenary of the Telecommunications Regulatory Commission approves and issues the "General Guidelines for the Protection of the Rights of Audiences", published in the Official Gazette of the Federation on August 28, 2026.

by Ricardo Chacón

## IN BRIEF

This executive analysis evaluates Agreement P/CRT/EXT/26082026/109, through which Mexico's Regulatory Commission of Telecommunications (CRT) issued the *General Guidelines for the Protection of the Rights of Audiences*. The article highlights key operational impacts for broadcasters, programmers, and advertisers, including the removal of direct state review over "false information," updated standards for distinguishing advertising from content, and new mandates for Codes of Ethics and Audience Defenders. Furthermore, it addresses regulatory risks, personal data protection obligations, M&A due diligence implications, and legal defense mechanisms via constitutional *Amparo* proceedings.

## 1. What was published?

On Friday, August 28, 2026, in the evening edition of the Official Gazette of the Federation, the Agreement was published by which the Plenary of the Telecommunications Regulatory Commission approves and issues the "General Guidelines for the Protection of the Rights of Audiences", together with its Sole Annex and seven technical and format annexes.

A clarification that should be made from the outset: **it is not a decree**. There has been talk in the public conversation of a "decree on hearings", but it is an Agreement of the Plenary of a regulatory body that issues administrative provisions of a general nature – Article 1 itself qualifies them as such.

The distinction is not cosmetic: it determines the means of challenge, the standard of constitutional control applicable (reservation of law, hierarchical subordination, exhaustiveness) and the margin of authority to modify them later.

|                      |                                                                                                                                                  |
|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| Instrument           | Agreement P/CRT/EXT/26082026/109, unanimously approved at the Twenty-Fourth Extraordinary Session of the Plenary of the CRT, on August 26, 2026. |
| Publication          | DOF, evening edition, August 28, 2026.                                                                                                           |
| Entry into force     | 30 calendar days following its publication → <b>September 27, 2026.</b>                                                                          |
| Abroga               | The General Guidelines to Guarantee the Rights of Audiences, published on February 5, 2025.                                                      |
| Constitutional basis | Articles 6, section B, sections III, IV and VI; 7; and 28, sixteenth paragraph.                                                                  |
| Legal basis          | Arts. 208, fr. II, and 250 to 255 of the Law on Telecommunications and Broadcasting.                                                             |
| Issuer               | Telecommunications Regulatory Commission, body of the Digital Transformation and Telecommunications Agency.                                      |
| Structure            | 53 articles in five titles, five transitory and seven annexes.                                                                                   |
| Public consultation  | July 27 to August 21, 2026; 8,889 participations.                                                                                                |

**Recipients (art. 1):** open television and radio concessionaires, pay television and/or audio concessionaires, and programmers. **Does not apply to the written press or digital platforms.**

An operational fact that is easily overlooked: according to Article 5, all deadlines set in days are understood to be **working days**. This changes the calculation of practically all the terms of the complaint procedure.

## **2. What do the Guidelines establish?**

### **2.1 The catalogue of rights (art. 8).**

Fourteen fractions. In addition to the well-known ones—truthful, plural, and timely information; that advertising is not presented as news information; elements to distinguish advertising from content; elements to differentiate news information from opinion; right of reply; non-discrimination—there are three that almost no one has commented on and that have a direct operational impact:

- **Section VIII:** maintain the same quality and levels of audio and video throughout the programming **and during advertising slots**. The old problem of the commercial that sounds louder is expressly regulated.
- **Section XIII:** respect schedules, notify programming changes **at least 24 hours in advance** when they are foreseeable, or before the start of the affected program when they are not, and include parental notices.
- **Section XIV:** specific rights of **audiences with disabilities**, including programming guides accessible by telephone line, applications or portal.

### **2.2 Distinction between advertising and content (arts. 9 and 10)**

Article 9 prohibits presenting advertising or propaganda as journalistic or news information. Article 10 requires the identification **of any sponsorship, commercial message, brand content or product placement**. The Guidelines expressly define *brand content* and *product placement* (Article 3, sections X and XIII), which closes the door to discussions about whether or not branded content is included.

**For open and pay television**, in spaces marketed within a content:

- The concessionaire **may** make the mention by displaying the symbol "**P**" on the screen in accordance with Annex 1, and this symbol **may be** included at the beginning and end of the space for at least five continuous seconds.
- At the end of each content, the legend that the program had commercialized and/or sponsored spaces must be shown on the screen, **and the logos or trade names of the brands** that hired them.
- Commercial breaks must be announced at the beginning and at the end when the continuity of the transmission does not make it evident.

**For pay radio and audio**, at the end of each content the same legend must be expressed verbally, and the beginning and end of commercial breaks must be announced when it is not clear.

Here it is necessary to be precise: **the symbol "P" was drafted in optional terms** ("may", "may"), not mandatory. The project submitted for consultation said "shall". What is mandatory is the **closing legend with the marks**.

And on radio, the project required prior and clear verbal mention that it was advertising; the final version replaced it with the legend at the end of the content.

### 2.3 News information against opinion (art. 11).

On television: banners, bumpers, on-screen messages or any other element that allows full identification if the person driving, reporting or commenting expresses opinions and news messages indistinctly, or mainly opinions. They must be incorporated **at least at the beginning and end of the program**, not permanently. In pay radio and audio, equivalent sound elements, also at the beginning and at the end. Applies to concessionaires **and programmers**.

### 2.4 Duty of diligence in news information (art. 12).

The most discussed article. Its final wording:

*The Concessionaires [...] shall adopt the necessary measures to preserve the plurality and veracity of the information, and shall adhere to the editorial criteria and values established in their Codes of Ethics for the treatment of news information.*

The bill submitted for consultation required the adoption of measures **not to disseminate false, decontextualized information or historical information as if it were current**. That formula disappeared. The recital explains the change: the wording was harmonized with Article 6, section B, section III of the Constitution, which orders the preservation of the plurality and veracity of information in the broadcasting service.

Correlatively, **Article 18, section I, subsection b)** requires that the Code of Ethics contain editorial criteria and values for the treatment of news information **that ensure that, at the time of making it public, there were minimum elements to conclude that the news was truthful**. It is, in essence, a standard of prior informative diligence, not an obligation to result on the truth.

### 2.5 Reply and accessibility (arts. 13 to 16).

The right of reply refers in its entirety to its regulatory law; the obligation added is **informative**: to publish on the portal that the right exists and that, if appropriate, the rectification will be transmitted free of charge by the same means.

In accessibility, the Guidelines are more demanding than has been reported: hidden subtitling with seven technical parameters (synchrony, location, number of lines, typography, contrast), Spanish dubbing and Mexican Sign Language, available **in at least one news content and one children's program with the highest national audience**, broadcast between 06:00 and 24:00 hours, for commercial and public open television signals with coverage of more than 50% of the national territory.

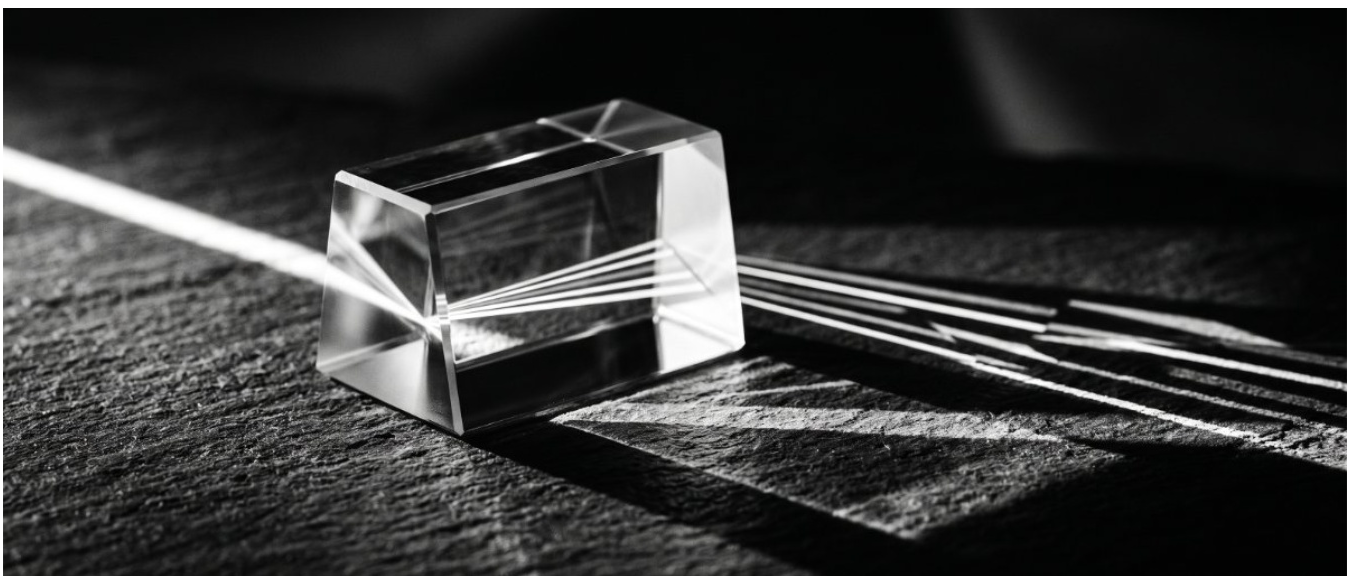
In live programs, a delay of up to five seconds is allowed.

## 2.6 The two instruments: Code of Ethics and Ombudsman (arts. 17 to 38).

**Code of Ethics.** Seven minimum contents (art. 18), including editorial criteria on the protection of vulnerable groups, non-discrimination and non-emission of hate speech; express mention of the rights of audiences; mission, vision and editorial identity; programmatic identity; and mechanisms for naming the Ombudsman. **Each multiprogramming channel requires its own Code** (art. 19), although channels with the same programmatic identity at the national level share one. It must **be registered in the Public Registry of Concessions** (art. 20), with affirmative ficta after 15 days (art. 21), be published on portals, digital media and facilities within 10 days following the certificate (art. 22), and **is applicable and enforceable from the notification of the proof of registration** (art. 24).

**Defender.** Mandatory for open television and radio. Requirements (art. 27): 30 years of age, experience in communications, law, broadcasting or telecommunications, not having been convicted of an intentional crime with a prison sentence of more than one year, and **not having worked for the concessionaire in the previous two years**. Extensive impediments due to kinship, shareholding and legal representation (art. 29). Appointment for **three years, extendable up to two times**, in observance of the principle of gender equality (art. 34). Grounds for termination (art. 35). The concessionaire is obliged to provide it with technical and material resources , **ensuring its independence and impartiality, without direct or indirect interference** (art. 37). It must publish and submit to the Commission a **semi-annual report in April and October** (art. 38, fr. V).

For **pay television and audio**, having an Ombudsman is **optional**: they can designate instead an area responsible for dealing with complaints with the same rules (art. 51).



## 2.7 The complaint procedure (arts. 39 to 50).

1. **Submission:** by address of the concessionaire, address of the Ombudsman or authorized email, within **7 days** of the issuance of the content (art. 45). It requires name and official identification, email for notifications, data that identifies the content, and reasons and evidence (art. 44). **The complaint may be based on the violation of the Code of Ethics of the concessionaire itself.** The Ombudsman may not deny receipt due to lack of requirements.
2. **Prevention:** 3 days to prevent, 5 to remedy. If it is rejected, **the hearing may be dissatisfied with the Commission, which may order its admission and processing** (art. 45).
3. **Request:** once the complaint is admitted, within 5 days the Ombudsman requests the concessionaire to provide a report and audio/video witnesses; the concessionaire responds within 5 days (art. 46).
4. **Determination and Recommendation:** the Ombudsman decides whether or not there was a contravention. If there was, she issues a Recommendation **for the content to be rectified or modified**, with corrective actions. It is notified within 3 days and **the concessionaire must make it public on its portal within 24 hours** (art. 47).
5. **Compliance:** the concessionaire reports actions in 5 days, extendable for 5 more; the Ombudsman issues a **Compliance Analysis** (art. 48).
6. **Intervention of the Commission (art. 49):** proceeds at the request of the hearing (if it is not resolved or is resolved after the deadline) or of the Ombudsman (if the concessionaire does not respond). The Commission **urges** the concessionaire, with a warning of the initiation of the sanctioning procedure.
7. **Global deadline:** the Ombudsman must attend to the complaint within a maximum of **20 days** (art. 42), suspendable for prevention or non-conformity.

## 2.8 Supervision and sanctions (arts. 52 and 53).

The Commission supervises through monitoring, requirements "or any other action that is necessary." Infractions are sanctioned **in terms of Article 295 of the Law** – not 282, as the bill said and as much of the press repeated – with a fine of **0.01% to 1% of cumulative income**

The change of reference is very important, and the recital itself explains it: Article 295 limits the cases to **(i) not making defense mechanisms available to the audiences and (ii) not appointing an Ombudsman for the Hearings or not issuing Codes of Ethics**; and it also provides that **no sanction is applied if there is spontaneous compliance** without prior request, inspection visit or verification, and that **in the first violation the Commission admonishes only once**.

2.9 Transitional regime.

| Obligation                                                    | Term                                 | Date                |
|---------------------------------------------------------------|--------------------------------------|---------------------|
| Entry into force                                              | 30 calendar days                     | September 27, 2026  |
| Registration of the Code of Ethics                            | 30 business days from effective date | ≈ November 6, 2026  |
| Registration of the Ombudsman                                 | 30 business days from effective date | ≈ November 6, 2026  |
| Accessibility Services                                        | 60 business days from effective date | ≈ December 21, 2026 |
| Community, indigenous and Afro-Mexican social concessionaires | 180 business days                    | 2027                |

3. Comments

3.1 What to recognize

1. **The formula on "false" or "decontextualized" information disappeared** as an autonomous obligation. Its replacement by the duty to preserve plurality and veracity, anchored in the constitutional text and operated through a standard of prior diligence, prevents the regulator from having to qualify the truth of a note.
2. **The sanctioning reference** from articles 282 to 295 was corrected, which reduces the universe of finable conduct to two objective assumptions and incorporates a warning in the first offense and exemption for spontaneous compliance.
3. **The Commission's intervention was limited to the procedure**, not to the substance: it urges a response, it does not review whether the Ombudsman's Determination was correct.
4. **The advertising identification was made more flexible** from "shall" to "may" in the symbol "P", in response to the technical production challenges that arose in the consultation.

If **a Considerations Report** of the public consultation was published on the CRT portal, and the Agreement itself documents it.

The legitimate reproach is not that it does not exist, but that the Agreement recognizes that the comments were valued **"in a general way"**, without a response disaggregated by observation.

### 3.2 The structural problem: who is watching?

The most serious objection is that **the CRT is not the IFT**. The autonomous constitutional body (IFT) disappeared and its functions passed to a regulator inserted in the Agency for Digital Transformation and Telecommunications.

The inter-American standard on broadcasting, developed by the IACHR's Office of the Special Rapporteur for Freedom of Expression, requires that the body that applies audiovisual regulation be independent of the political power and interests of the regulated sector. No guideline, no matter how well drafted, corrects a deficit of organic independence. And when the regulator depends on the Executive, even a strictly procedural power operates with a different burden on newsrooms.

On the other hand, **Article 6** reserves the administrative interpretation of the Guidelines to the Plenary of the Commission itself. The safeguard clause of Article 2 – which prohibits interpreting the instrument as a restriction on editorial freedom or as prior censorship – is necessary, but it is the same body whose independence is in question that interprets it.

### 3.3 A problem of typicity.

**Article 53** provides that **"violations of the provisions provided for in these Guidelines"** shall be punished in terms of Article 295 of the Law. But Article 295 contains **two assessed assumptions**: not making defense mechanisms available, and not appointing a lawyer or not issuing a code of ethics. The wording of Article 53 is universal; the precept to which it refers is closed.

This asymmetry generates two incompatible readings:

- **Restrictive reading**: only the two cases of Article 295 are punishable. Therefore, non-compliance with Article 10 (advertising identification), 11 (information/opinion distinction), 12 (informative diligence) or Articles 14 to 16 (accessibility) **has no direct sanctioning consequence**. A good part of the Guidelines would be an imperfect rule.
- **Extensive reading**: Article 53 expands the catalogue of infractions by means of a general administrative provision, referring to a sanction provided for other conducts. This clashes head-on with the principles of **typicity and exhaustiveness** in administrative sanctioning matters and with the reservation of law in Article 14 of the Constitution.

The same problem appears in **Article 50**: if the concessionaire does not comply with the Recommendation of the Ombudsman, "the corresponding sanctioning procedure will be initiated."

On what basis, if disregarding the recommendation of an internal body is neither of the two cases of Article 295? And in **Article 46**, where the concessionaire is warned with the initiation of the sanctioning procedure if it does not submit its report to the Ombudsman.

This is, by far, the most litigious flank of the instrument, and does not require invoking freedom of expression to raise it.

### 3.4 The reservation of law.

Article 12 no longer refers the content of the duty to the codes of ethics exclusively: it establishes a substantive duty – to preserve plurality and veracity – taken verbatim from Article 6, section B, section III of the Constitution, and only then refers to the editorial criteria as a means of compliance. This reduces, without eliminating it, the problem that the SCJN identified in the amparo under review 499/2020, where it declared unconstitutional the second and third paragraphs of the then article 256 of the LFTyR for violation of the reservation of law by referring to the codes of ethics the definition of the content of the rights of the audiences.

What keeps the tension alive is something else: **Article 44, section III**, expressly admits that the complaint is based on the transgression **of the concessionaire's Code of Ethics**. In other words, the code – a self-regulation instrument approved by the obligated entity itself – becomes a parameter of a procedure whose non-compliance can escalate to the intervention of the Commission. The same fact may be an infraction for one concessionaire and not for another, depending on what each one has written in its code.

It is not an insurmountable defect – the system rests on the fact that the code is enforceable from its registration, art. 24 – but it requires the CRT to specify, by interpretative criteria, how far the enforceability of the code reaches and where it ends.

### 3.5 Independence of the Defender.

The Guidelines do much more than what was recognized: three-year mandate, assessed extensions, impediments due to kinship and shareholding, prohibition of having worked for the concessionaire in the previous two years, express obligation of the concessionaire to ensure independence and impartiality without direct or indirect interference, and a public biannual report.

The problem is in **Article 35, section III**: "the lack of attention to the information requirements formulated by the Concessionaire" **is cause for termination of the appointment**. The concessionaire can request information from the person who resolves complaints against it, and failure to comply with these requirements extinguishes the appointment. This coexists poorly with Article 37. It is a vector of pressure on an official that the concessionaire itself appoints.

It is corrected with an interpretative criterion that limits these requirements to administrative issues and expressly excludes the substance of the complaints in process.

### 3.6 Asymmetries that can generate friction.

**Programmers.** They are subject to articles 11 (information/opinion), 12 (diligence) and 52-53 (supervision and sanctions), but **they are not obliged to issue a Code of Ethics or to appoint a Defender** (articles 18 and 25 refer only to concessionaires). They are subject to duty without the instrument of compliance, and potentially exposed to sanction without their own channel of attention.

**Pay television and audio.** The Ombudsman is optional (art. 51). Two hearings with the same grievance will have different guarantees depending on whether they receive the signal by radio or cable.

**Broadcasting versus digital.** The same newscast, with the same host and the same sponsored content, is subject to plecas, closing legend, code of ethics and defense if it is broadcast on open television, and to nothing if it is distributed on YouTube or podcast. Not regulating platforms is, from the point of view of freedom of expression, the right decision. But it produces regulatory arbitrage in a market where the migration of audiences has already occurred.

### 3.7 A contradiction between the articles and Annex 1.

Article 10 drafts the use of the symbol "P" in optional terms: the concessionaire **may** make the mention by showing it, and the symbol **may be** included at the beginning and end for at least five seconds.

**Annex 1**, in its technical considerations, provides that the symbol **must** be displayed at the beginning and at the end of the content in which there are commercialized spaces, for at least five continuous seconds.

A technical annex cannot make mandatory what the articles left optional. Article 10 prevails. But the contradiction is in the published text and will produce consultations, divergent criteria and, eventually, a poorly founded requirement.

### 3.8 Comments on the complaint procedure.

**The period of 7 days.** Counted from the issuance of the content, and even if they are working, they are few for a human right whose exercise depends on the person noticing the affectation, identifying the defender, gathering evidence and formalizing the complaint. It operates de facto as an expiration.

**Official identification.** Article 44 requires a name and official identification. It is understood as due process and data protection, but it eliminates anonymous complaints and can inhibit complaints about politically sensitive content. A mechanism of confidentiality of identity in front of the media, preserving it in front of the Ombudsman, would resolve the tension.

### 3.9 Protection of personal data.

Article 40 makes the Ombudsman, the Concessionaires and the Programmers responsible for the due treatment and protection of the personal data to which they have access due to the attention of complaints, in terms of the **Federal Law on the Protection of Personal Data in Possession of Private Parties**. The referral is brief, but it opens a compliance front that should be carefully dimensioned.

First, a note that many privacy notices have not yet absorbed: **the authority is no longer the INAI**. The Institute was extinguished with the constitutional reform of organic simplification published on December 20, 2024, and the new LFPDPPP —published on March 20, 2025 and in force since the following day— attributed its functions with respect to the private sector to the **Anti-Corruption and Good Governance Secretariat**, which exercises them through the decentralized body Transparency for the People. In the face of its resolutions, the route is amparo before specialized courts and tribunals, not the nullity trial before the TFJA. Any compliance document that continues to cite the INAI is outdated, and it is the first thing that is detected in a verification.

On this basis, three specific obligations:

- **Define roles.** It will be necessary to decide whether the Ombudsman operates as an autonomous person in charge or as a person in charge of the Concessionaire. It is not an academic discussion: it determines who answers to the authority, who must issue a privacy notice and whether an assignment contract is required. The functional independence required by Article 37 and the ownership of the data do not necessarily point to the same subject.
- **Update privacy notices.** Complaint files contain the name, official identification, email address and, frequently, the political opinion of the complainant – sensitive data when the complaint is about informative content. The notice must distinguish between necessary and voluntary purposes, and the processing of sensitive data aggravates the sanctioning regime.
- **Reconcile conservation and deletion.** Articles 38 and 46 require that all matters be kept and that audio and video witnesses be kept for submission upon request. The new LFPDPPP introduced the concept **of a retention period** with a duty to delete it upon expiration. Both duties are compatible, but only if the term and its regulatory justification are expressly documented. Keeping indefinitely "just in case" is no longer a defensible position.

## 4. Proposals

Five measures that the CRT can adopt by way of interpretative criteria – Article 6 gives it that power – without amending the instrument:

1. **To expressly resolve the antinomy of Article 53**, specifying that the punishable conducts are only those of the two cases of Article 295 of the Law, and that the other provisions of the Guidelines operate through the complaint procedure and not the sanctioning procedure.
2. **Clarify the contradiction between Article 10 and Annex 1** on the optional nature of the symbol "P".
3. **To limit Article 35, section III**, excluding the substance of the complaints in process from the universe of requirements that the Concessionaire may formulate to the Ombudsman.
4. **Specify the scope of the enforceability of the Code of Ethics** as a parameter of the complaint in accordance with Article 44, section III.
5. **Publish a disaggregated response** to the observations of the public consultation, beyond the general assessment of the Considerations Report.

## **5. What to do and when**

### **Open television and radio concessionaires.**

#### **Before November 6, 2026:**

- Draft the Code of Ethics with the seven contents of Article 18, including the standard of "minimum elements to conclude that the news was truthful". **One for each multi-programming channel**, unless there is a common programmatic identity at the national level.
- Submit the application for registration in the Public Registry of Concessions in the format of Annex 3.
- Identify and propose the Ombudsman verifying the requirements of Article 27 and impediments of Article 29 – in particular, that he or she has not worked for the concessionaire in the previous two years – with the formats of Annexes 4, 5 and 6.

**Within 10 and 5 days following the respective certificates:** publish the Ombudsman's Code and contact details on the portal, digital media and facilities.

**Before December 21, 2026:** implement hidden subtitling in accordance with Annex 2, dubbing into Spanish and Mexican Sign Language in at least one news program and children's content with a higher audience.

**Of course:** design the internal flow of the complaint procedure. The deadlines are short and chained – 5 days to request, 5 for the area to respond, 3 for notifying, 24 hours to publish the Recommendation – and without a defined process they are not met. Keeping audio and video witnesses is now a practical obligation, because Article 46 requires them upon request. Coordinate this design with the personal data area, in accordance with section 3.9.

### **Pay TV and audio concessionaires**

Code of Ethics mandatory within the same deadlines.

Optional Ombudsman: decide between appointing it or setting up a responsible area with the same rules. The second option is cheaper but subjects the area to the same deadlines without the guarantees of independence that protect the Ombudsman.

### Programmers

Subject to Articles 11 and 12 and the supervision regime, without the obligation of code or ombudsman. It is advisable to document internally compliance with the information/opinion distinction and the duty of diligence, and **to negotiate with the concessionaires the assignment of responsibility** for non-compliance derived from the content provided.

### Advertisers, agencies and brand owners.

- **Your brand name or logo will appear in the closing caption** of any content in which you have contracted commercialized spaces or sponsorships. The final version removed the "if applicable" that the project contained. It is not optional for the medium.
- **Branded content and product placement are expressly defined and subject to identification.** The economic assumption of a brand integration – which is perceived as a natural part of the content – changes when the integration is signposted.
- **Review the regulatory compliance and risk assignment clauses** in the current sponsorship, integration and advertising contracts. The fine falls on the Concessionaire, but the reputational exposure is shared and the Recommendations of the Ombudsmen's Offices **are public within the following 24 hours**.
- **In new contracts**, incorporate express identification obligations in accordance with the Guidelines, declarations and guarantees of the medium on current registration of its Code of Ethics, and reciprocal indemnity.
- **Review campaigns that have already been produced** and whose schedule extends beyond September 27.

### Impact on M&A (mergers and acquisitions).

As of September 27, 2026, compliance with these Guidelines becomes part of the due diligence in the acquisition of concessionaires or programmers. The failure to register the Code of Ethics or the omission in the appointment of the Ombudsman within the transitional periods constitute regulatory contingencies verifiable in public source: both acts are registered in the Public Registry of Concessions, so that the review is quick and the finding difficult to dispute.

The representations and warranties and the conditions precedent of the sales contract should be adjusted accordingly. Two practical clarifications:

- The **one-time reprimand of Article 295** is a benefit that is exhausted. A target that has already been reprimanded reaches the end with exposure to an effective fine for the next infraction, which alters the risk profile with respect to one that has never been requested.
- The **exemption for spontaneous compliance** – which operates only if there has been no request, inspection visit or verification – makes regularizing before closing materially cheaper than doing it after. It is a useful argument to negotiate a suspensive condition of correction instead of a price adjustment.

## **6. Ways of defense**

For those who consider that the Guidelines exceed the Law or affect rights, the way forward is indirect **amparo against administrative provisions of a general nature**.

**Nature of the norm.** The obligations to issue a Code of Ethics and register a Defender arise with the mere entry into force, without a specific act of application, which supports the thesis of **a self-applying norm** and activates the period of 30 days from the time it enters into force. Others –graphic identification, pleas, accessibility– admit hetero-application reading, with an open term until the first act of application.

## **7. Conclusion**

The Guidelines published on August 28, 2026 are notably better than the project that preceded them. They removed the formula that would have made the State a qualifier of journalistic veracity, corrected the sanctioning referral to a closed catalog with a warning in the first offense, and limited the intervention of the regulator to compliance with the procedure.

What they do not resolve – because it is not within their reach – is that the body in charge of applying them no longer enjoys the constitutional autonomy that the inter-American standard requires. And what they resolve badly is a technical problem: **an Article 53 drafted in universal terms that refers to a legal precept of assessed cases**. That can be corrected with a criterion of the Plenary. It should be corrected before September 27.

For the media, the next seventy days are for compliance. For brands and agencies, for contractual review. And the question that will define whether this rule protects hearings or only administers formalities remains the one that was raised during the consultation: **what is left for those who complain, when their complaint does not succeed and the Commission can only review that the procedure has been followed?**

*In ECIJA's TMT, Corporate/M&A, Data Protection and Strategic Litigation practices, we are at your disposal to audit advertising contracts, structure the appointment of Ombudspersons, draft and register Codes of Ethics, adapt privacy notices and document retention policies, and evaluate the constitutional defense channels suitable for your business model.*

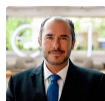
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*Analysis prepared from the full text of Agreement P/CRT/EXT/26082026/109 and its Sole Annex, published in the evening edition of the Official Gazette of the Federation on August 28, 2026.*

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