



SAT

Servicio de Administración Tributaria

**ACUERDO AMISTOSO ENTRE
MÉXICO Y LA ISLA DEL HOMBRE
(ISLA DE MAN) SOBRE
LA APLICACIÓN Y LA
INTERPRETACIÓN DEL AIIMT**

MEMORANDUM OF UNDERSTANDING BETWEEN THE MINISTRY OF FINANCE AND PUBLIC CREDIT OF THE UNITED MEXICAN STATES AND THE ASSESSOR OF INCOME TAX OF THE ISLE OF MAN CONCERNING THE INTERPRETATION OR APPLICATION OF THE AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED MEXICAN STATES AND THE GOVERNMENT OF THE ISLE OF MAN FOR THE EXCHANGE OF INFORMATION RELATING TO TAX MATTERS (“THE TIEA”) AND THE ACKNOWLEDGEMENT OF OTHER UNDERTAKINGS MADE BETWEEN THE COMPETENT AUTHORITIES

The Ministry of Finance and Public Credit of the United Mexican States and the Assessor of Income Tax of the Isle of Man as the competent authorities for the purposes of the TIEA, desiring to facilitate the exchange of information with respect to taxes, have reached the following understandings:

1. With respect to the expression “with reasonable notice” referred to in paragraph 1 of Article 6 (*Tax Examinations Abroad*) of the TIEA, it is understood that such expression means at least fourteen (14) days prior to the date of the intended meeting.

2. With respect to Article 9 (*Costs*) it is understood that:

(a) The term “extraordinary costs” includes, but is not limited to:

- (i) reasonable costs of reproducing and transporting documents or records to the competent authority of the Requesting Party;
- (ii) reasonable fees charged by a financial institution or other third party record keeper for copying records and research related to a specific request for information;
- (iii) reasonable costs for stenographic reports and interviews, depositions or testimony;
- (iv) reasonable fees and expenses, determined in accordance with amounts allowed under applicable law, of a person who voluntarily appears in Mexico or in the Isle of Man for an interview, deposition or testimony relating to a particular information request;
- (v) reasonable legal fees for non-government counsel appointed or retained, with the approval of the competent authority of the Requesting Party, for litigation in the courts of the Requested Party relating to a specific request for information.

- (b) The term “ordinary costs” includes, but is not limited to, ordinary administrative and overhead expenses incurred by the Requested Party in reviewing and responding to information requests submitted by the Requesting Party.
- (c) If the extraordinary costs pertaining to a specific request are expected to exceed £500 (five hundred sterling pounds), the competent authority of the Requested Party will contact the competent authority of the Requesting Party to determine whether the Requesting Party wants to pursue the request.
- (d) The competent authorities will consult not later than twelve (12) months after the date the TIEA enters into force, and upon request of either competent authority thereafter, with respect to costs incurred or potentially to be incurred under the TIEA and with a view to minimising such costs.

3. With respect to Article 5, paragraph 4, sub-paragraph (b)(ii), it is understood that the term “protector” means a person other than a trustee who, as a holder of an office created by or under the terms of a trust, is authorised or required to participate in the administration of the trust.

4. In the case that the translation of a request of information is needed, then a courtesy translation will be provided.

5. This Memorandum of Understanding will come into effect on the entry into force of the TIEA.

6. The competent authorities may jointly decide, in writing, to amend this Memorandum of Understanding at any time. Amendments to the Memorandum of Understanding will come into effect on the date of the final letter confirming the amendment.

7. Once the TIEA enters into force, the Ministry of Finance and Public Credit of the United Mexican States will take the administrative measures necessary, so that the Isle of Man will not be included in the list of countries referred to in sub-paragraph XII of the Third Article of the Transitory Provisions of the Income Tax Law.

8. This Memorandum of Understanding will remain in effect until terminated at any time, in writing, by either competent authority.

In witness whereof the undersigned, being duly authorised thereto by their respective Governments, have signed this Memorandum of Understanding.

Done in Mexico City on this 18th day of March of two thousand eleven and in Douglas on this 11th day of April of two thousand eleven, in duplicate in the Spanish and English languages, both texts being equally authentic.

FOR THE MINISTRY OF FINANCE
AND PUBLIC CREDIT OF THE
UNITED MEXICAN STATES

Ernesto Javier Cordero Arroyo
Minister

FOR THE ASSESSOR OF INCOME
TAX OF THE ISLE OF MAN

Malcolm Couch
Assessor