

International: Mexico

Overview

With a shared border with the United States, and as a signatory to the United States-Mexico-Canada Agreement (USMCA), Mexico is an important U.S. trading partner for both goods and services. Carlton Fields' Mexico Desk expands the range of services available to U.S. companies looking to do business in Mexico, and Mexican companies and individuals investing in the United States.

Our experienced team of attorneys is uniquely positioned to assist U.S. companies looking to engage in cross-border operations or establish businesses in Mexico. We offer licensed legal representation in Mexico, leveraging deep local knowledge to provide clients with responsive and effective counsel. We work with clients to incorporate Mexican entities, draft corporate documents and commercial contracts, and prepare shareholders' agreements and internal compliance policies, including anti-bribery/anti-corruption and anti-money laundering. Our Mexico Desk attorneys also advise in connection with the acquisition or lease of commercial and residential real estate in Mexico.

We represent financial services institutions, including insurance and investment funds, on regulatory issues related to the design, development, approval, and distribution of insurance products. We also provide regulatory advice regarding the licensing and authorization of insurance operations in specific product lines, including life, health, title, and travel; cross-border sale of life and annuities products to consumers resident in Mexico; fronting/reinsurance transactions; and mergers and acquisitions of insurance companies in Mexico.

Complementing its work on behalf of U.S. companies, Carlton Fields also assists Mexican companies seeking to do business in the United States. The firm is active in the U.S.-Mexico Chamber of Commerce and the U.S.-Mexico Chamber of Commerce California Regional Chapter, a prominent binational organization that promotes trade and investment between the United States and Mexico.

The firm advises Mexican individuals relative to doing business in the United States, including pre-residency tax and estate planning, immigration law, and EB-5 petitions. The firm's various practice specializations in real estate, business transactions, cybersecurity and privacy, intellectual property, health care, government law and consulting, and international (OFAC, AML, FCPA, and CFIUS) provide turnkey advice for companies contemplating investing in the United States.

The firm also advises Mexican nationals on the U.S. income and transfer tax consequences associated with acquisition, ownership, and disposition of U.S. real property investments, both for personal use and commercial development, and counsels Mexican companies on U.S. tax issues associated with launching business operations in the U.S. and establishing U.S. affiliated companies.

Experience

Representative matters of our work in Mexico and in the United States on behalf of Mexican nationals and businesses include:

- Assisted global extended warranty insurance provider in establishing operations in Mexico with respect to smartphones, tablets, and other mobile devices.
- Provided counsel to a U.S. insurance company regarding the sale of an insurance subsidiary in Mexico.
- Advised a foreign health insurance company on the laws of Mexico with respect to reinsurance and fronting arrangements in the context of global health insurance products to be marketed through a local authorized insurer.
- Analyzed Mexico's reinsurance laws in connection with a U.S. insurer seeking to reinsure risks of local authorized life insurance companies.
- Analyzed Mexico insurance law with respect to possible formation of captive insurance companies.
- Reviewed Mexico law with respect to the development of insurtech businesses.
- Handled general corporate work for global companies in Mexico including incorporation and compliance with investment regulations, drafting of corporate resolutions, commercial agreements and acquisition agreements, and advice on corporate restructuring.
- Developed guidelines for multinational insurance companies with respect to internal policies and procedures for offer and sale of international variable insurance and annuity products to ensure compliance with insurance, tax, securities, and privacy laws in Mexico.
- Analyzed anti-bribery and anti-corruption legislation in Mexico implicated in developing policies and procedures for a multinational company doing business abroad.
- Assisted international airline in connection with IFC financing related to Latin America operations.
- Prepared private placement memorandum for securities offerings in the United States and abroad including with respect to potential Mexican investors.
- Assisted on immigration issues including EB-5 visas.

Insights

Featured Insights

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05.05.2021

Mexico Imposes Digital Services Tax on Online Activities

01.07.2021

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11.17.2020

Challenges and Opportunities for Captive Insurance in Mexico

08.30.2019

Mexico to Issue Regulations Governing Medicinal Cannabis Use

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Related Practices

- Banking, Commercial, and Consumer Finance
- Health Care
- Life, Annuity, and Retirement Solutions
- Real Estate
- Corporate Law and Governance
- Energy and Utilities
- Immigration Planning and Compliance

- Intellectual Property
- International
- International Litigation & Arbitration
- International Privacy Compliance
- International Tax
- International Arbitration of Construction Contracts
- International: Asia
- International: Brazil
- International: Cuba
- International: Europe
- International: Latin America
- Mergers and Acquisitions

Related Industries

- Banking, Commercial, and Consumer Finance
- Health Care
- Life, Annuity, and Retirement Solutions
- Real Estate
- Securities & Investment Companies