

**No. 32385. Mexico and United States of America**

MUTUAL COOPERATION AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED MEXICAN STATES AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA FOR THE EXCHANGE OF INFORMATION IN RESPECT TO TRANSACTIONS IN CURRENCY THROUGH FINANCIAL INSTITUTIONS IN ORDER TO COMBAT ILLICIT ACTIVITIES. WASHINGTON, 28 OCTOBER 1994 [*United Nations, Treaty Series, vol. 1901, I-32385.*]

PROTOCOL THAT AMENDS THE MUTUAL COOPERATION AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED MEXICAN STATES AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA FOR THE EXCHANGE OF INFORMATION IN RESPECT TO TRANSACTIONS IN CURRENCY THROUGH FINANCIAL INSTITUTIONS IN ORDER TO COMBAT ILLICIT ACTIVITIES, SIGNED IN WASHINGTON, DC, ON OCTOBER 28, 1994. MEXICO CITY, 5 MAY 1997

**Entry into force:** 2 May 2003 by notification, in accordance with article III

**Authentic texts:** English and Spanish

**Registration with the Secretariat of the United Nations:** Mexico, 26 October 2009

**N° 32385. Mexique et États-Unis d'Amérique**

ACCORD DE COOPÉRATION MUTUELLE ENTRE LE GOUVERNEMENT DES ÉTATS-UNIS DU MEXIQUE ET LE GOUVERNEMENT DES ÉTATS-UNIS D'AMÉRIQUE RELATIF À L'ÉCHANGE D'INFORMATIONS CONCERNANT LES TRANSACTIONS EN ESPÈCES PAR L'INTERMÉDIAIRE D'INSTITUTIONS FINANCIÈRES AFIN DE COMBATTRE DES ACTIVITÉS ILLICITES. WASHINGTON, 28 OCTOBRE 1994 [*Nations Unies, Recueil des Traités, vol. 1901, I-32385.*]

PROTOCOLE AMENDANT L'ACCORD DE COOPÉRATION MUTUELLE ENTRE LE GOUVERNEMENT DES ÉTATS-UNIS DU MEXIQUE ET LE GOUVERNEMENT DES ÉTATS-UNIS D'AMÉRIQUE RELATIF À L'ÉCHANGE D'INFORMATIONS CONCERNANT LES TRANSACTIONS EN ESPÈCES PAR L'INTERMÉDIAIRE D'INSTITUTIONS FINANCIÈRES AFIN DE COMBATTRE DES ACTIVITÉS ILLICITES, SIGNÉ À WASHINGTON, DC, LE 28 OCTOBRE 1994. MEXICO, 5 MAI 1997

**Entrée en vigueur :** 2 mai 2003 par notification, conformément à l'article III

**Textes authentiques :** anglais et espagnol

**Enregistrement auprès du Secrétariat des Nations Unies :** Mexique, 26 octobre 2009

[ ENGLISH TEXT – TEXTE ANGLAIS ]

**PROTOCOL THAT AMENDS THE MUTUAL COOPERATION AGREEMENT  
BETWEEN THE GOVERNMENT OF THE UNITED MEXICAN STATES AND THE  
GOVERNMENT OF THE UNITED STATES OF AMERICA FOR THE EXCHANGE OF  
INFORMATION IN RESPECT TO TRANSACTIONS IN CURRENCY THROUGH  
FINANCIAL INSTITUTIONS IN ORDER TO COMBAT ILLICIT ACTIVITIES,  
SIGNED IN WASHINGTON, DC, ON OCTOBER 28, 1994**

The Government of the United Mexican States and the Government of the United States of America, having previously entered into a mutual Cooperation Agreement, dated October 28, 1994 for the exchange of information in respect to transactions in currency through financial institutions in order to combat illicit activities, desire to amend the Mutual Cooperation Agreement and have to that purpose agreed as follows:

**ARTICLE I**

Article I (Parties and Competent Authorities) of the Agreement shall be amended to read as follows:

“The Parties to this Agreement are the Government of the United Mexican States and the Government of the United States of America. For the purposes of this Agreement, the term “United Mexican States” means the United Mexican States as defined in article 42, of the Political Constitution of the United Mexican States, and the term “United States of America” means the United States as specified in 31 U.S.C. 5312, as implemented by regulations 31 C.F.R Part 103.11. The competent authorities for this Agreement are:

(1) for the United Mexican States, the Ministry of Finance and Public Credit (Secretaría de Hacienda y Crédito Público); represented by the Federal Fiscal Attorney (Procurador Fiscal de la Federación) or its designees, and (2) for the United States of America, the Department of the Treasury, represented by the Under Secretary for Enforcement, or the Under Secretary's designees."

## **ARTICLE II**

Article III (Maintenance of Currency Transaction Information) of the Agreement shall be amended to read as follows:

"The Parties shall ensure that financial institutions under their jurisdiction and financial institutions subject to their domestic laws record information concerning transactions in currency (subject to statutory or otherwise appropriate exemptions for items of little or no interest for law enforcement purposes) and maintain such information for a period of no less than five (5) years."

## **ARTICLE III**

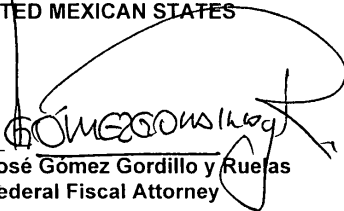
This Protocol shall enter into force upon the exchange of diplomatic notes confirming that all the constitutional and statutory requirements necessary to effectuate this Agreement have been fulfilled.

**ARTICLE IV**

The Protocol herein, shall be in force as long as the amended Agreement remains in force.

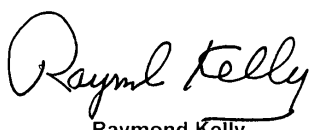
DONE at Mexico City, the fifth of may of nine hundred and ninety seven, in duplicate, in the English and Spanish languages, both texts being equally authentic.

FOR THE GOVERNMENT OF THE  
UNITED MEXICAN STATES



Ismael José Gómez Gordillo y Ruelas  
Federal Fiscal Attorney

FOR THE GOVERNMENT OF THE  
UNITED STATES OF AMERICA



Raymond Kelly  
Under Secretary for Enforcement  
Department of the Treasury