

REFUND OF
PENSION
CONTRIBUTIONS IN
MEXICO

OUR OFFER TO YOU

Legal basis

In Mexico, employers are legally required to contribute to the pension system for their employees. Even foreign employees who are dispatched to Mexico are subject to this obligation. However, it should be noted that there are two different pension systems in Mexico: the general pension system (IMSS) and the special pension system for government employees (ISSSTE). Employees who contribute to the IMSS system have the right to claim back their pension contributions under certain conditions, after they have finished working in Mexico and left the country.

The legal basis for the refund of pension contributions in Mexico is set out in Article 170 of the Mexican Social Security Law (Ley del Seguro Social). Until recently, the refund of pension contributions in Mexico was a controversial issue and was often rejected by the relevant authorities. Even courts rarely confirmed the claims of employees. Since November 2020, there has been clarity in legal terms as a new law confirms the right to refund. However, there are still no specific processes, authorities or offices responsible for handling refund requests. This makes the refund of pension contributions a complicated matter that often requires individual advice and approach and must consult various authorities. In many cases, even a lawsuit may be necessary to enforce the claims of employees for the refund of pension contributions.

Our offer to support the refund of pension contributions in Mexico is limited to employees who were working in Mexico during or after 1997 and contributed under the new pension system. In 1997, the pension system in Mexico was fundamentally changed when private pension funds (AFORES) were introduced. Before the introduction of AFORES, the pension system in Mexico was a pay-as-you-go system, in which the contributions paid were directly paid to the pensioners.

How we proceed

Our company specializes in the recovery of pension contributions for individuals who were dispatched to Mexico after 1997. We place great emphasis on transparency, speed, and compliance with all relevant legal provisions, including anti-corruption legislation. We offer our clients excellent advice and support throughout the recovery process, accompanying them with personalized solutions and tailored services to make the process as smooth as possible. We also assist with obtaining missing documents in Mexico, for which we only require a notarized power of attorney and information about the dispatch to Mexico. To accelerate the recovery process and provide our clients with a seamless experience, we rely on modern technologies and digital solutions. We go through the following steps together with our clients:

1. **Consultation**

To provide our clients with the best possible support, we conduct personal consultations. We take

into account their individual situation and develop customized solutions. Our consultations are discreet, confidential, and free of charge.

2. **Data collection**

Our clients provide us with the necessary information to enable us to investigate their claims. The more data we have, the faster we can make the claims. In extreme cases, we can also work with minimal information.

3. **Refund process**

After our clients have instructed us, we take over the entire process and pursue their claims. We take care of all necessary steps and formalities. We work on a commission basis, meaning that we only charge a fee in the event of success.

4. **Payment**

After successfully enforcing their claims, our clients receive a refund of their pension contributions to the account they specify. We ensure that the entire process runs smoothly and our clients receive their rightful refund quickly and efficiently. We assume all the risk.

We assume the risk.

Our compensation is based solely on the successful completion of the repayment process. This means that we will only be paid once the money has been received by the employee. In doing so, we assume all associated risks.

Not susceptible to fraud

We understand that some of our customers may have concerns about whether our company or our employees may have fraudulent intentions. We want to emphasize that we are aware of this concern and have taken all necessary steps to ensure that such a situation can be excluded. Each customer enters into a contractual relationship with us and signs a power of attorney that sets out in detail what steps our lawyers may take on behalf of our clients. We have taken precautions at every step of our processes to ensure that our customers' claims cannot be alienated in a fraudulent manner. Our customers can be assured that they are in good hands with us and that their claims for reimbursement of their pension contributions will be enforced with absolute integrity and transparency.

Express your gratitude

Working abroad is a challenge for any employee. It requires courage to navigate a new environment and adapt to a new culture. It also means leaving friends and family behind for a certain period of time and living and working in an unfamiliar environment.

As an employer, it is important to recognize these challenges and appreciate the engagement abroad. To show your appreciation, you can give your employees a small token of appreciation in the form of a thank-you after their time abroad. This way, you can signal to them that you appreciate their efforts and that they are part of the company family.

We offer you the opportunity to express your gratitude in a special way. You can help your employees receive an unexpected repayment of their pension contributions in Mexico through our service. This support allows you to show your appreciation for the efforts and dedication of your employees abroad. Of course, it is up to you how much you want or can engage.

1. You can start by simply passing on the information you have received in this letter. Write to your employees who have worked in Mexico or are about to finish their assignment there. Inform them of their legal entitlement and provide them with our contact information. If your employees contact us, we will be happy to assist them with our expertise in enforcing their claims. In the appendix, we provide you with our contact details in different formats. We have also provided you with a series of sample letters that fulfill this purpose of providing information.
2. After successfully completing the first step, the question arises as to how best to integrate us into your HR processes. An automated and digitized process design ensures that every employee who is assigned to Mexico and especially every employee who ends their assignment in Mexico receives timely information about their rights and our services. This way, they can have access to the payment of their claims as soon as possible. We are happy to assist you in integrating our services into your HR processes and advise you individually and comprehensively in this regard.
3. We are happy to support you in showing even more engagement to your employees. Instead of merely providing your employees with information about their repayment claims and about us, you could actively contribute by directly commissioning us for the service, informing your employees about our partnership, and covering the full or partial fee for your employees. Such a measure clearly underscores your appreciation and care for your employees and sustainably strengthens employee loyalty and engagement. In the appendix, you will find some sample letters for this initiative.

We are also happy to offer you further tailored initiatives. Our comprehensive expertise and professional advice are at your disposal to find the best possible solution together. Do not hesitate to contact us for further information and individual advice.

ATTACHMENT

We are happy to support you in optimizing your workday. For this reason, we have compiled a carefully selected range of useful materials for you, including sample letters in three languages as well as this document in PDF format. This way, you have the opportunity to inform your employees and colleagues in the best possible way about our offer. If there is still no suitable material for your needs, please do not hesitate to contact us at any time. We are happy to assist you with advice and support.

The selection of documents can be found at the following link.: <https://aacini.de/doku>



Our Proposal

Our offer for individual consultation is available to you at any time. We recommend that you schedule an appointment with us so that we can specifically address your concerns. You have the option of contacting us by email, phone, or directly scheduling an appointment using the link provided. Tailored to your needs, we will either contact you by phone or invite you to a personal online conference. We look forward to working with you to develop solutions and supporting you on your journey.

Book appointments online at: <https://aacini.de/termin>



Contact Information



vCard

aacini GmbH
Johannes-Brahms-Weg 5
84032 Markt Altdorf
+49 871 9730 9000
contact@aacini.de
<https://www.aacini.de>
vCard: <https://tinyurl.com/aacini05>
