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Data Breaches in Latin America

Often seen as a region with a common language and similar cultural traditions, Latin America is, in reality, a diverse conglomerate of countries with different economies, laws, and industries. Companies operating in several Latin American countries cannot count on a one-size-fits-all strategy to comply with data security laws. While some countries have data security laws that parallel European laws, there are other countries in the region where no data security law exists or where the laws are so archaic that they cannot be meaningfully applied to new technologies. Our Privacy and Data Security team developed the following table to help businesses better understand those similarities and differences when handling data breaches in Latin America.

([download the PDF version here](#)):

Data Breach Laws in Latin A

COUNTRY	DATA PROTECTION LAW	DATA SECURITY REQUIREMENTS	BREACH NOTIFICATION REQUIREMENT
ARGENTINA	Data Protection Law 25,326	No Recommendations based on the principle of accountability	Recommended notification to the Data Protection Authority but not required
BOLIVIA	Article 56, Title IV of Law 164 (Aug. 2011) Comprehensive (2009) law pending approval	Yes	No
BRAZIL	Law No. 13,853/19 (LGPD)	Yes	Security incidents that present significant risk must be communicated to the Data Protection Authority in a <i>reasonable</i> time Additional mitigation required depending on the nature of the breach
CHILE	No privacy laws for the private sector	No	No
COLOMBIA	Statutory Law 1581 of 2012	Yes	Yes, to the Data Protection Authority (SIC)
COSTA RICA	Law 8968	Yes	Yes, to the Data Protection Authority (PRO
DOMINICAN REPUBLIC	Law No. 172-13	Yes	No
ECUADOR	Law pending approval	Yes	No
EL SALVADOR	No law	No	No
GUATEMALA	No law	No	No
HONDURAS	No law	No	No
MEXICO	LEPDPPP	Yes	No requirement to report to Data Protection Authority Requirement to notify individuals of any breach that affects their moral or patrimonial right
PANAMA	Law 81 (effective 03/29/2021)	Yes	No
PARAGUAY	Law pending approval	No	No
PERU	Law N° 29733/2013 (PDPL)	Yes	No requirement to report to Data Protection Authority Requirement to notify individuals of any breach that affects their economic or moral rights
URUGUAY	Law No. 18.331 (2008); Decree No. 414/009	Yes	Yes, immediately to authority and individuals affected
VENEZUELA	No law	No	No

For questions and assistance regarding this topic, please feel free to contact any member of our [Privacy and Data Security Team](#).

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