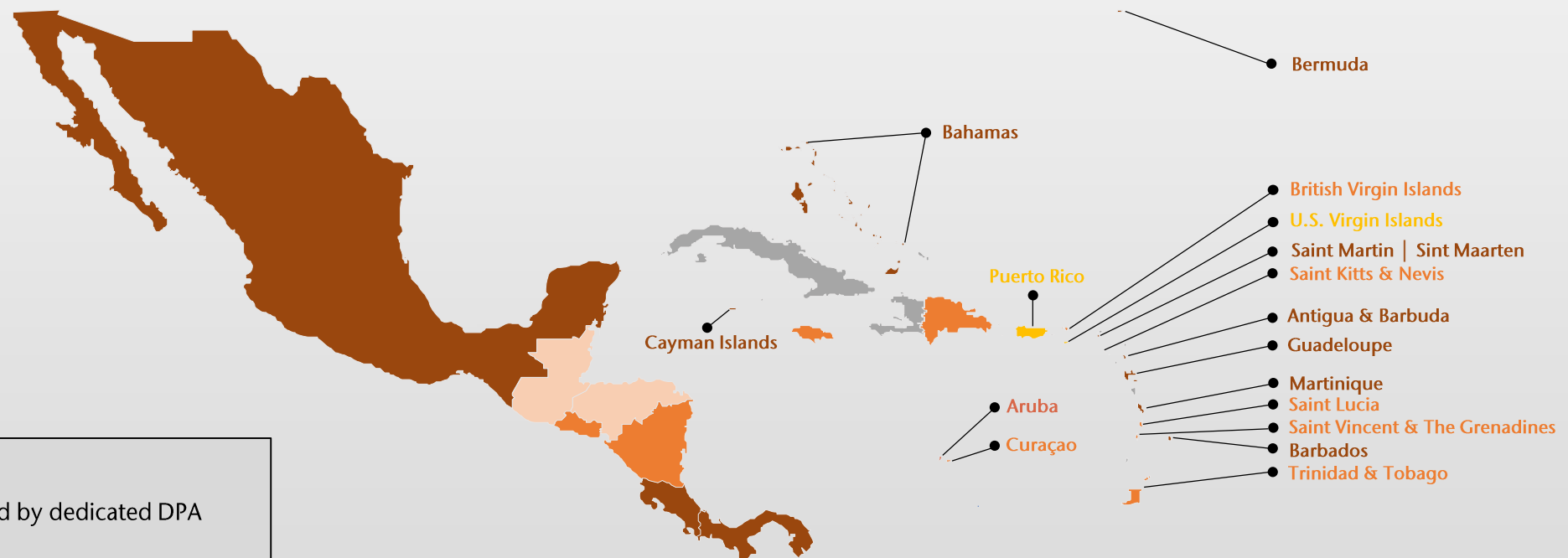


# L04 | Data Protection Laws in Latin America



**Map Legend**

- Dark brown: Data protection law enforced by dedicated DPA
- Medium brown: Data protection law enforced by gov. ministry
- Orange: Data protection law passed
- Light orange: Data protection bill introduced
- Yellow: Sector-specific legislation only
- Grey: No comprehensive data protection legislation

prepared by **Gregor Lienemann, LL.M. (Reading)**  
(last revised: 26 January 2022)

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Prof. Dr. Moritz Hennemann, MJur (Oxon.)

**Research Centre for Law and Digitalisation**  
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## List of Data Protection Laws in Latin America (1)

State	Official designation of the law	Translation / short title	Law officially adopted	DPA established (name)	Enforcement commenced
Antigua & Barbuda	<a href="#">Data Protection Act, 2013</a> (Act No. 10 of 2013)	Data Protection Act, 2013	28 October 2013	yes (Information Commissioner, established for FOIA purposes)	7 November 2013
Bahamas	<a href="#">Data Protection (Privacy of Personal Information) Act</a> Statute Laws of the Bahamas, Ch 324A	Data Protection (Privacy of Personal Information) Act	11 April 2003	yes ( <a href="#">Office of the Data Protection Commissioner</a> )	2 April 2007
Barbados	<a href="#">Data Protection Act, 2019</a> (erroneously still labelled a “Bill” on the govt. website)	Data Protection Act, 2019	6 August 2019	yes (Data Protection Commissioner, albeit with strong ministerial ties)	15 July 2021 <sup>1</sup>
<i>Belize</i>	<a href="#">Data Protection Bill, 2021</a>	-	-	-	-
Costa Rica	<a href="#">Ley Nº 8968. Protección de la Persona frente al tratamiento de sus datos personales</a>	Law Nº 8968. Protection of Individuals with Regard to the Processing of their Personal Data	7 July 2011	yes ( <a href="#">Agencia de Protección de Datos de los Habitantes - PRODHAB</a> )	5 September 2012 (one-year grace period after establishment of PRODHAB)
Dominican Republic	<a href="#">Ley No. 172-13 que tiene por objeto la protección integral de los datos personales asentados en archivos, registros públicos, bancos de datos u otros medios técnicos de tratamiento de datos destinados a dar informes, sean estos públicos o privados</a>	Law No. 172-13 on the comprehensive protection of personal data in archives, public registers, data banks or other technical means of data processing for reporting purposes, whether public or private	13 December 2013	no (only in the banking sector, art 29 – <a href="#">Superintendencia de Bancos</a> )	-
El Salvador	<a href="#">Ley de Protección de Datos Personales y Habeas Data</a>	Law on the Protection of Personal Data and Habeas Data	22 April 2021 <sup>2</sup>	no	-
<i>Guatemala</i>	1. <a href="#">Iniziativa 4090-2009. Ley de Protección des Datos Personales (20 August 2009)</a> 2. <a href="#">Iniziativa 5921-2021. Ley de Protección des Datos Personales (9 June 2021)</a>	1. <i>Proposition 4090-2209. Law on the Protection of Personal Data</i> 2. <i>Proposition 5921-2021. Law on the Protection of Personal Data</i>	-	-	-

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## List of Data Protection Laws in Latin America (2)

State	Official designation of the law	Translation / short title	Law officially adopted	DPA established (name)	Enforcement commenced
Honduras	<a href="#">Anteproyecto de Ley de Protección de Datos Personales (2014)</a>	<i>Draft Law on the Protection of Personal Data (2014)</i>	-	-	-
Jamaica	<a href="#">The Data Protection Act, 2020 (Act No. 7-2020)</a>	Data Protection Act, 2020	10 July 2020	yes (Information Commissioner appointed on 1 December 2020 <sup>3</sup> )	- (two-year grace period from ministerial notice, s 76(1))
Mexico	<a href="#">Ley Federal de Protección de Datos Personales en Posesión de los Particulares</a>	<a href="#">Federal Law on the Protection of Personal Data Held by Private Parties</a>	27 April 2010	yes (Instituto Nacional de Transparencia, Acceso a la Información y Protección de Datos Personales, <a href="#">INAI</a> )	6 July 2010
	<a href="#">Ley General de Protección de Datos Personales en Posesión de Sujetos Obligados</a>	General Law on the Protection of Personal Data Held by Regulated Entities	13 December 2016		27 January 2017
Nicaragua	<a href="#">Ley de Protección de Datos Personales (Ley N°. 787)</a>	Law on the Protection of Personal Data (Act N°. 787)	21 March 2012	no (DIPRODAP not yet established)	-
Panama	<a href="#">Ley 81 de 26 de Marzo de 2019 sobre Protección de Datos Personales</a>	Law 81 of 26 March 2019 on the Protection of Personal Data	26 March 2019	yes ( <a href="#">Autoridad Nacional de Transparencia y Acceso a la Información</a> , ANTAI)	28 May 2021 (by way of <a href="#">Executive Decree N° 285 of 2021</a> )
Saint Kitts & Nevis	<a href="#">Data Protection Act, 2018 (Act No. 5 of 2018)</a>	Data Protection Act, 2018	23 May 2018	no (Information Commissioner not yet appointed)	-
Saint Lucia	<a href="#">Data Protection Act 2011 – Act No. 11 of 2011 (last amended by Act No. 2 of 2015)</a>	Data Protection Act 2011	6 April 2011	yes (Data Protection Commissioner)	- (pending notice under s 1(2))
Saint Vincent & The Grenadines	<a href="#">Privacy Act (Act No. 18 of 2003)</a>	Privacy Act, 2003	15 October 2003	no (Privacy Commissioner not yet appointed)	-
Trinidad & Tobago	<a href="#">Data Protection Act (Act 13 of 2011)</a> Laws of Trinidad and Tobago, Ch 22:04	Data Protection Act	22 June 2011	no (Information Commissioner not yet appointed)	-



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## List of Data Protection Laws in Latin America (3) - Overseas Territories

Territory	Status with respect to mainland country	Official designation of the law	Law officially adopted	DPA established (name)	Enforcement commenced
Aruba	Constituent country of the Kingdom of the Netherlands	<a href="#">Landsverordening persoonregistraties. 2011 no. 37</a> (= National Ordinance on Personal Records. 2011 no. 37)	19 May 2011	no (regulated by the issuing authority, i.e. the <a href="#">Ministry of Justice, Security and Integration</a> )	10 June 2011
Bermuda	Overseas territory (UK)	<a href="#">Personal Information Protection Act 2016</a> (PIPA, Act No. 43 of 2016)	27 July 2016	yes ( <a href="#">Privacy Commissioner</a> )	20 January 2020 <sup>3</sup>
British Virgin Islands	Overseas territory (UK)	<a href="#">Data Protection Act, 2021</a> (Act No. 3 of 2021)	6 April 2021	no (Information Commissioner not yet appointed)	-
Cayman Islands	Overseas territory (UK)	<a href="#">The Data Protection Law, 2017</a> (Law 33 of 2017)	18 May 2017	yes ( <a href="#">Ombudsman</a> , the parliamentary complaints office)	30 September 2019 <sup>4</sup>
Curaçao	Constituent country of the Kingdom of the Netherlands	<a href="#">Landesverordening bescherming persoonsgegevens. 2010 no. 84</a> (= National Ordinance on the Protection of Personal Data. 2010 no. 84)	4 September 2010	yes (College bescherming persoonsgegevens is being set up <sup>5</sup> )	-
Guadeloupe	French overseas department / Ultraperipheral EU region	<a href="#">Règlement Général sur la Protection des Données</a> (= <a href="#">General Data Protection Regulation</a> )	27 April 2016	yes ( <a href="#">CNIL</a> / <a href="#">Agence RGPD Guadeloupe</a> )	25 May 2018
Martinique				yes ( <a href="#">CNIL</a> )	
Puerto Rico	Unincorporated U.S. territory	Sectoral regime under U.S. federal law (→ Map L07)	-	-	-
Saint Martin	French overseas collectivity / Ultraperipheral EU region	<a href="#">Règlement Général sur la Protection des Données</a> (= <a href="#">General Data Protection Regulation</a> ) <sup>6</sup>	27 April 2016	yes ( <a href="#">CNIL</a> )	25 May 2018
Sint Maarten	Constituent country of the Kingdom of the Netherlands	<a href="#">Landsverordening bescherming persoonsgegevens</a> (= <a href="#">National Ordinance on Personal Data Protection</a> ) → last amended: 30 May 2015	10 October 2010	yes (Commissie toezicht bescherming persoonsgegevens)	20 December 2011
U.S. Virgin Islands	Unincorporated U.S. territory	Sectoral regime under U.S. federal law (→ Map L07)	-	-	-

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