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Decree is issued by the Federal Law on the Protection of Personal Data of Private Ownership and reform of Articles 3, paragraphs II and VII, and 33, and the name of Chapter II of Title Two of the Federal Law Transparency and Access to Public Government Information.

The margin a seal with the national emblem, which reads: United Mexican States .- President of the Republic.

Felipe de Jesus Calderon Hinojosa, President of the United Mexican States, its inhabitants:
That the Honorable Congress of the Union, has sent me the following:

DECREE

"THE GENERAL CONFERENCE OF THE UNITED MEXICAN STATES DECREES:

FEDERAL LAW IS ISSUING THE PROTECTION OF PERSONAL INFORMATION IN POSSESSION OF INDIVIDUALS AND ARE Amends Articles 3, section II and VII, AND 33, AS WELL AS THE NAME OF CHAPTER II, THE SECOND PART OF THE FEDERAL LAW OF TRANSPARENCY AND ACCESS GOVERNMENT TO PUBLIC INFORMATION.

**ARTICLE FIRST. Issues the Federal Law on Personal Data Protection of Private Ownership.
FEDERAL LAW PROTECTION OF PERSONAL INFORMATION IN POSSESSION OF THE SPECIAL**

CHAPTER I

General Provisions

Article 1 .- This Act is mandatory and shall be observed throughout the Republic and aims at the protection of personal data held by individuals, in order to regulate their legitimate treatment, monitoring and reporting, in order to ensure the privacy and the right to informational self-determination of people.

Article 2 .- The subjects covered by this law, individuals are natural persons or legal entities of private character to carry out the processing of personal data, except:

- I. The credit information company in the event of the Law to Regulate Credit Information Societies and other applicable provisions, and
- II. The persons carrying out the collection and storage of personal data, it is for personal use only, and non-disclosure or commercial use.

Article 3 .- For the purposes of this Act shall apply:

- I. Privacy Notice: physical document, electronic or other format generated by the responsible person is available to the holder, prior to the processing of personal data in accordance with Article 15 of this Law
- II. Databases: The ordered set of personal data concerning an identified or identifiable.

III. Blockade: The identification and conservation of personal data once served the purpose for which they were collected, with the sole purpose of identifying responsibilities in relation to their treatment until the limitation period of such legal or contractual. During this period, personal data may not be processed and passed it, they shall be canceled in the corresponding database.

IV. Consent: Demonstration of the will of the owner of the data by which the treatment is done the same.

V. Personal Data: Any information concerning an identified or identifiable.

VI. Sensitive personal data: Those personal data involving the most intimate sphere of the proprietor, or whose misuse can lead to discrimination or entails a serious risk to it. In particular, consider those that may reveal sensitive issues such as origin racial or ethnic origin, health status, present and future, genetic information, religious, philosophical and moral, union membership, political views, sexual preference.

VII. Days: Weekdays.

VIII. Dissociation: The process by which personal data can not be associated or permit holder, by its structure, content or degree of disaggregation, the identification.

IX. Guardian: The person or entity that alone or together with other personal data on behalf of the responsible.

X. Source publicly accessible databases Those whose practice may be done by anyone, without further requirement that, where appropriate, payment of a fee, in accordance with those reported by the Rules of this Act

XI. Institute: Federal Institute for Access to the Information and Data Protection, referred to the Federal Law of Transparency and Access to Public Government Information.

XII. Law: Federal Law on Personal Data Protection of Private Ownership.

XIII. Regulations: The Regulations of the Federal Law on Personal Data Protection of Private Ownership.

XIV. Responsible: Individual or private morality, which decides on the processing of personal data.

XV. Secretariat: Department of Economics.

XVI. Third: The person or entity, domestic or foreign, other than the owner or the person responsible for the data.

XVII. Holder: The individual to whom personal data relate.

XVIII. Treatment: The collection, use, disclosure or storage of personal data by any means. The use includes any act of access, management, use, transfer or disposal of personal data.

XIX. Transfer: Any data communication made to someone other than the controller or processor.

Article 4 .- The principles and rights under this Act, shall have a limit as to its observance and exercise, the protection of national security, public order, public health and safety and the rights of others.

Article 5 .- In the absence of specific provisions in this Act shall apply an additional way the provisions of the Federal Code of Civil Procedure and the Federal Administrative Procedure Act. For the substantiation of rights protection procedures, verification and sanctions will observe the provisions of the Federal Administrative Procedure Act.

CHAPTER II

Principles for the Protection of Personal Data

Article 6 .- The responsible treatment of personal data should adhere to principles of legitimacy, consent, information, quality, purpose, loyalty, proportionality and accountability under the Act

Article 7 .- The personal data shall be collected and treated in a lawful manner under the provisions established by this Act and other applicable regulations.

The collection of personal information should not be done through deceptive or fraudulent means.

In the processing of personal data, it is assumed that there is a reasonable expectation of privacy, understood as your trust anyone else, for that personal data provided will be treated as including what the parties agreed on the terms set by this Act

Article 8 .- Any processing of personal data subject to the consent of its owner, except as otherwise provided by this Law The consent will be expressed when the manifest orally, in writing, by electronic, optical or any other technology, or by unmistakable signs. It is understood that the owner consents tacitly treat your data, when having made available the privacy notice does not oppose. Financial or economic data will require the express consent of its owner, except as referred to in Articles 10 and 37 of this Law Consent may be revoked at any time without retroactive effect attributed to it. To revoke the consent, the manager shall, in the privacy notice, establish mechanisms and procedures for doing so.

Article 9 .- In the case of sensitive personal data, the manager must obtain the written consent of the owner for processing, through handwritten signature, electronic signature, or authentication mechanism is established for this purpose. They may create databases containing sensitive personal data, without justifying the creation of the same for legitimate purposes, concrete and consistent actions or explicit purpose pursued the subject regulated.

Article 10 .- need not consent to the processing of personal data where:

- I. Is provided for in law;
- II. The data included in publicly available sources;
- III. Personal data are subject to a prior procedure of dissociation;
- IV. Intends to comply with obligations under a legal relationship between the owner and the person responsible;
- V. There is an emergency situation that could potentially harm an individual in his person or property;
- VI. Are essential to medical care, prevention, diagnosis, health care delivery, medical treatment or management of health services, while the owner is unable to give consent in the terms established by the General Law of Health and other applicable legal provisions and that the data processing is performed by a person subject to professional secrecy or equivalent requirement or
- VII. Decision has been taken by a competent authority.

Article 11 .- The manager ensured that the personal data contained in the databases relevant, accurate and updated for the purposes for which they were obtained. When personal data are no longer necessary for the fulfillment of the purposes intended by the privacy notice and the legal provisions should be discontinued. The head of the database is required to bring information concerning the breach of contract, an elapsed time of seventy-two months, starting from the date calendar in the filing of the said breach.

Article 12 .- The processing of personal data should be limited to fulfill the purposes set out in the privacy notice. If the person intends to treat the data for a purpose other than that it is not compatible or analogous to the purposes stated in the privacy notice will be required to obtain the consent of the owner again.

Article 13 .- The personal data will be necessary, appropriate and relevant in relation to the purposes set out in the privacy notice. Particularly for sensitive personal data, the manager must make reasonable efforts to limit the period of their treatment to the effect that is the bare minimum.

Article 14 .- The person responsible shall ensure compliance with the principles of data protection established by this Act, shall take the necessary measures for its implementation. This applies even when these data are processed by a third party at the request of the controller. The manager must take the steps necessary and sufficient to ensure that the privacy notice issued to the holder, is respected at all times by him or by other parties that bears some legal relationship.

Article 15 .- The manager has the obligation to inform data subjects, the information is collected from them and for what purposes, through the privacy notice.

Article 16 .- The privacy notice must contain at least the following information:

- I. The identity and address of the person that collects;
- II. The purposes of data processing;
- III. The choices and means offered to responsible owners to limit the use or disclosure of data;
- IV. The means to exercise their rights of access, rectification, cancellation and opposition, in accordance with the provisions of this Act;
- V. Where appropriate, data transfers to be made, and
- VI. The procedure and means by which the charge notify holders of changes to the privacy notice in accordance with the provisions of this Act. In the case of sensitive personal data, the privacy notice must state explicitly that it is this type of data.

Article 17 .- The privacy notice should be made available to holders of formats via print, digital, visual, sound or any other technology, as follows:

- I. Where personal data has been collected personally from the owner, the privacy notice must be provided at the time the data is collected so clearly and convincingly through the formats by which they are collected, unless it was provided the prior notice, and
- II. Where personal data are obtained directly from the owner by any means, electronic, optical, sound, visual, or through any other technology, the manager shall provide the owner immediately, at least the information referred to in sections I and II the previous article, and provide mechanisms for the owner knows the full text of the privacy notice.

Article 18 .- When the data were not obtained directly from the owner, the manager will let you know the change in the privacy notice. Not applicable as provided in the preceding paragraph, where processing is for historical, statistical or scientific. Where it is impossible to present the privacy notice to the holder or disproportionate effort, considering the number of holders, or the age of the data, with the authorization of the Institute, the manager may implement compensatory measures in terms of the Rules of this Act

Article 19 .- Any responsible for carrying out processing of personal data should establish and maintain security measures, administrative and physical techniques designed to protect personal data against damage, loss, alteration, destruction or use, or unauthorized access.

The perpetrators should not take security measures to those that remain under the management of your information. Also be taken into account the existing risks, the potential consequences for the holders, the sensitivity of data and technological development.

Article 20 .- The security breaches occurred at any stage of treatment that significantly affect or moral rights of the holders, will be informed immediately by the person responsible to the holder, so that the latter can take appropriate action to defend their rights.

Article 21 .- The controller or third parties involved at any stage of processing of personal data must observe confidentiality in respect thereof obligation shall continue even after the end of their relationship with the holder or, where appropriate, with the head.

CHAPTER III

Rights of Holders of Personal Data

Article 22 .- Any owner, or if his legal representative may exercise the rights of access, rectification, cancellation and opposition under this Act the exercise of any of them is not a prerequisite, nor prevent the exercise of another. Personal data should be preserved so that they may exercise these rights promptly.

Article 23 .- The holders are entitled to access their personal data held by the person as well as the Notice of Privacy know which is subject to treatment.

Article 24 .- The data subject has the right to correct when they are inaccurate or incomplete.

Article 25 .- The owner will always have the right to cancel your personal data.

The cancellation of personal data will result in failure after a period which shall be the deletion of data. The manager may retain exclusively for purposes of liability arising from the treatment. The lock period is equivalent to the period of limitation of actions arising from the legal relationship based treatment in terms of the law applicable to the matter.

Once the data is terminated shall give notice to the holder.

Where personal data had been transmitted prior to the date of modification or cancellation and continue to be treated by others, the manager must bring to your attention the request for correction or cancellation, to proceed to effect it as well.

Article 26 .- The person responsible is not required to remove personal information when:

- I. Refers to the parts of a private contract, social or administrative and necessary for their development and enforcement;
- II. Should be addressed by statute;
- III. Obstruct judicial or administrative proceedings related to tax obligations, investigation and prosecution of crimes or updating of administrative penalties;
- IV. Necessary to protect the legally protected interests of the owner;
- V. Necessary to perform an action in the public interest;
- VI. Necessary to comply with an obligation legally acquired by the owner and
- VII. Undergo treatment for prevention or for medical diagnosis or management of health care services if such treatment is provided by a health professional subject to a duty of confidentiality.

Article 27 .- The owner has the right at any time and for a legitimate reason to refuse the processing of your data. To result from, the manager may not process data about the holder.

CHAPTER IV

Exercise of the Rights of access, rectification, cancellation and opposition

Article 28 .- The owner or his legal representative may require the person responsible at any time access, rectification, cancellation and opposition with respect to personal data concerning you.

Article 29 .- The request for access, rectification, cancellation or opposition to contain and monitor the following:

- I. The holder's name and address or other means to communicate the answer to your request;
- II. The documents establishing the identity or, where appropriate, legal representation of the operator;
- III. The clear and precise description of personal data for which it seeks to exercise any of the above duties and
- IV. Any other item or document that facilitates the location of personal data.

Article 30 .- All responsible shall appoint a person or personal information department, who will process the requests of holders to exercise the rights referred to in this Act also promote the protection of personal data within the organization.

Article 31 .- In the case of requests for correction of personal information, the holder must, in addition to the above in the previous article of this Act, amendments to be made and to provide documentation supporting your request.

Article 32 .- The manager shall notify the proprietor, within twenty one days from the date of receipt of the request for access, rectification, cancellation and opposition, the determination made, to the effect that, if appropriate, becomes effective the same within fifteen days from the date on which it communicates the answer. In the case of requests for access to personal data shall delivery with proof of identity of the applicant or legal representative, as appropriate.

The aforementioned limits may be extended once for a period equal to, if warranted by the circumstances.

Article 33 .- The obligation to provide access to information will be met, where are made available to the holder's personal data either through the issuance of simple copies, electronic documents or other means determined by the responsible for the privacy notice. In the event that the holder seeking access to the data to a person presumed to be responsible and it is not be sufficient if so instructed the holder for any of the means referred to above, for application have been met.

Article 34 .- The Officer may deny access to personal data or to make the correction or cancellation or opposition to granting the same treatment in the following cases:

- I. When the applicant is not the holder of personal data, or the legal representative is not properly credited for it;
- II. When in its database, are not the applicant's personal data;
- III. When it adversely affects the rights of a third party;
- IV. Where there is a legal impediment, or the decision of a competent authority to restrict access to personal data, or would not allow the rectification, cancellation and opposition of the same, and
- V. When the rectification, cancellation or opposition had been previously performed.

The refusal referred to in this article may be partial in which case the fee will be responsible for access, rectification, cancellation or opposition required by the holder.

In all previous cases, the manager should report the reason for its decision and communicate it to the holder, or where applicable, the legal representative within the time established for that purpose by the same means by which the application was conducted , accompanied, where appropriate, the evidence is relevant.

Article 35 .- The personal data delivery will be free and should cover the holder only justified shipping costs or the cost of reproduction in copies or other formats. This right shall be exercised by the holder for free, with proof of your identity to the head. However, if the same person repeats its request in a period less than twelve months, the costs are not greater than three days of

general minimum wage in the Federal District, unless there are substantial changes to the privacy notice that motivate further consultations . The holder may apply for data protection response or no response received from the controller, as set out in the next chapter.

CHAPTER V

Data Transfer

Article 36 .- Where the parties intend to transfer personal data to third parties or foreign national, other than the manager, must give notice of their privacy and the purposes for which the owner grabbed his treatment.

The data processing will be as agreed in the privacy notice, which shall contain a clause stating whether or not the holder agrees to transfer your data, just as the third receiver, will assume the same obligations incumbent upon the responsible transferred data.

Article 37 .- The national or international transfers of data may be carried out without the consent of the holder where any of the following cases:

- I. When the transfer is covered by a law or treaty to which Mexico is a party;
- II. When the transfer is necessary for the prevention or medical diagnosis, health care delivery, medical treatment or management of health services;
- III. When the transfer is made to holding companies, subsidiaries or affiliates under common control with the controller, or a parent company or any associated company of the person who operates under the same processes and internal policies;
- IV. When the transfer is necessary by virtue of a contract or to be concluded in the interest of the holder, by the controller and a third party;
- V. When the transfer is necessary or legally required to safeguard public interest or for the enforcement or administration of justice;
- VI. When the transfer is necessary for the establishment, exercise or defense of a right in a judicial proceeding, and
- VII. When the transfer is necessary for the maintenance or fulfillment of a legal relationship between the head and the holder.

CHAPTER VI

Authorities

Section I

Institute

Article 38 .- The Institute, for purposes of this Act, shall be to disseminate knowledge of the right to personal data protection in Mexican society, promote exercise and monitor the proper observance of the provisions of this Law and derived from the same, in particular those related to the fulfillment of obligations by the subjects covered by this ordinance.

Article 39 .- The Institute has the following functions:

- I. Monitor and verify compliance with the provisions of this Act, in the field of its competence, with the exceptions provided by law;
- II. Interpreting at the administrative level of this Act;
- III. Provide technical support to those responsible, upon request, to comply with its obligations under this Act;
- IV. Issue criteria and recommendations, in accordance with the provisions of this Act for purposes of their operation;
- V. Disseminate international standards and best practices on information security, in view of the nature of the data, the purposes of treatment, and technical and economic capabilities of the controller;
- VI. Hear and rule on procedural safeguards and verification rights set forth in this Law and impose penalties as appropriate;
- VII. Cooperate with other supervisory authorities and national and international agencies, in order to assist in the protection of data;
- VIII. To submit to Congress an annual report of its activities;
- IX. Attending international forums in the scope of this Act;
- X. Elaborate studies on privacy impact prior to implementation of a new type of personal data or carrying out substantial changes in

existing treatments;

XI. Develop, promote and disseminate analysis and research studies regarding the protection of personal data in possession of individuals and provide training to the obligors, and

XII. The other powers conferred by this Act and other applicable ordinances.

Section II

Regulatory Authorities

Article 40 .- This Law shall constitute the regulatory framework that agencies must observe in the field of its own powers, to issue appropriate regulations, with the coadyuvancia the Institute.

Article 41 .- The Ministry for the purposes of this Act, shall be designed to spread awareness of the obligations regarding the protection of personal data between the national and international private sector with business in Mexican territory, promote best business practices about the protection of personal data as input for the digital economy, and national economic development as a whole.

Article 42 .- With regard to trade databases, the regulation issued by the Secretariat, shall apply only to those automated databases or forming part of a process automation.

Article 43 .- The Ministry has the following functions:

I. To increase awareness regarding the protection of personal data in the field of trade;

II. To promote good business practices for the protection of personal data;

III. To issue appropriate guidelines for the content and scope of the privacy notices coadyuvancia with the Institute referred to this Act;

IV. Issue, in the area of its jurisdiction, the general administrative provisions referred to Article 40, coadyuvancia with the Institute;

V. Set the parameters necessary for the proper development of the mechanisms and regulatory measures referred to in Article 44 of this Act, including the promotion of Mexican Standards and Official Mexican Standards in coadyuvancia with the Institute;

VI. Conduct consumer records on personal data and verify its operation;

VII. Agreements with chambers of commerce, associations and business organizations in general, for the protection of personal data;

VIII. Designing and implementing policies and coordinate the preparation of studies for the modernization and efficient operation of electronic commerce and to promote the development of the digital economy and information technologies for the protection of personal data;

IX. Attending national and international trade forums for the protection of personal data, or in those events of a commercial nature, and

X. To support the realization of events, which contribute to the dissemination of personal data protection.

Article 44 .- The individuals or entities may agree among themselves and with civilian and governmental organizations, national or foreign, self-binding schemes in the field, to complement the provisions of this Act Such schemes should include mechanisms to measure their effectiveness in data protection, consequences and effective remedial measures in case of default. Self-regulatory schemes may result in good codes of ethics or professional practice of Trust or other mechanisms and contain specific rules or standards to harmonize data processing performed by the adherents and facilitate the exercise of the rights of the holders. Such schemes will be notified simultaneously to the relevant sectoral authorities and the Institute.

CHAPTER VII

Procedure for the Protection of Rights

Article 45 .- The procedure was initiated by the data owner or his legal representative, stating clearly the content of your complaint and the provisions of this Act deemed violated. The data protection application shall be submitted to the Institute within fifteen days from the date on which the response is communicated to the owner by the management.

In the event that the owner of the data does not receive a response by the management, the application for protection of information may be submitted after the deadline has expired for responses set for the manager. In this case it is sufficient that the owner of the data accompanying its request for protection of data the document proving the date you filed the request for access, rectification, cancellation or opposition.

The application of data protection also proceed under the same terms as the responsible operator does not deliver the requested personal data, or do so in an incomprehensible form, refuses to make changes or corrections to personal data, the holder does not agree with considering the information provided is incomplete or not meeting the required information.

Upon receipt of the request for protection of data against the Institute, shall forward the same to the person responsible, so that, within fifteen days, issue response, provide the evidence it deems relevant and states in writing what may be deemed appropriate.

The Institute shall accept the evidence it deems relevant and proceed to its release. It may also ask the responsible other evidence it deems necessary. Upon completion of the sufficiency of the evidence, the Institute shall notify the person responsible for his right to attend, if deemed necessary, to submit their claims within five days of notification.

Relief due to the procedure, the Institute shall decide on the request made data protection, after analyzing the evidence and other evidence that would seem appropriate, as can those arising from or hearings held with the parties .

Regulation of the Law shall determine the manner, conditions and terms under which the procedure will rights protection.

Article 46 .- The data protection application may be filed in writing or though the formats of the electronic system for that purpose provided by the Institute and shall contain the following information:

- I. The name of the holder or, where appropriate, their legal representative, as well as the third party, if any;
- II. The name of the person before whom the request for access, rectification, cancellation and opposition of personal data;
- III. The address to hear and receive notifications;
- IV. The date that was given to know the response of the controller, except that the procedure based on the provisions of Article 50;
- V. The events giving rise to his application for protection of data and
- VI. Other elements deemed appropriate to inform the Institute.

The form and terms necessary to establish the identity of the owner or the legal representation will be established in the Regulations. Also, the data protection application shall be accompanied by the request and the response that is used or, where appropriate, data can be identified. In the case of non-response will only need apply.

In the event that the application of data protection is brought by means other than electronic copies must be accompanied by sufficient transfers.

Article 47 .- The maximum period for issuing the ruling in the copyright protection is fifty days, counted from the date of filing of the application of data protection. When there is justifiable cause, the Plenum of the Institute may extend for once and for a period equal to that period.

Article 48 .- If the resolution of rights protection is favorable to the owner of the data, require the responsible to ensure that, within ten days of notification or, where warranted, one more to set itself resolution, then effective exercise of rights protected, and must give a written account of such compliance to the Institute within the next ten days.

Article 49 .- In case the data protection application no longer meets any of the conditions referred to Article 46 of this Act, and the Institute does not have items to be remedied, will prevent the owner of the data within twenty working days following the filing of the application of data protection, on one occasion, to remedy the omission within five days. After the deadline without relieve prevention shall be filed no data protection. Prevention will have the effect of interrupting the time limit in the Institute to address the data protection application.

Article 50 .- The Institute will supply the deficiencies of the complaint in cases where required, provided it does not alter the original content of the request for access, rectification, cancellation and opposition of personal data, or facts or change requests exposed in the same or the application of data protection.

Article 51 .- The resolutions of the Institute may:

- I. Terminate or dismiss the application for protection of data as irrelevant, or
- II. Affirm, reverse or modify the response of the controller.

Article 52 .- The data protection application will be dismissed as inadmissible when:

- I. The Institute has no jurisdiction;
- II. The Institute has already heard the application for protection of data against the same act and ultimately settled for the same applicant;
- III. Is pending before the courts any appeal or defense filed by the owner who may have the effect amend or repeal the act in question;
- IV. Whether an application for data protection offensive or irrational, or
- V. Be late.

Article 53 .- The data protection application will be dismissed when:

- I. The owner dies;
- II. The holder is expressly desist;
- III. Acceptance of the application of data protection, there occurs a causal order;
- IV. For whatever reason it is without substance.

Article 54 .- The Institute may at any time seek a conciliation procedure between the data owner and the person responsible. De reached a settlement agreement between the two, this one will be in writing and shall be binding. The application of data protection will not matter and the Institute shall verify compliance with the respective agreement.

For purposes of conciliation referred to in this law, it will be the procedure specified in the regulations of this Law.

Article 55 .- filing of the application of data protection in the absence of response to a request in the exercise of rights of access, rectification, cancellation and opposition by the management, the Institute will be responsible for the aforementioned view that, within no more than ten days, stating that it responded in a timely manner the request or to respond to it. If the answer responsive to the request, the application of data protection are considered inappropriate and the Institute should stay it. In the second case, the Institute will issue its decision based on the content of the original request and the response of the person referred to above. If

the resolution of the Institute referred to above determines the merits of the application, shall be responsible to deliver, at no cost to the holder, shall be responsible to cover all costs generated by the corresponding reproduction.

Article 56 .- The resolutions of the Institute, individuals may promote the nullification lawsuit before the Federal Tribunal of Fiscal and Administrative Justice.

Article 57 .- All decisions of the Institute shall be eligible for publicly disseminated in public versions, eliminating the references to the holder of the data that identifies you or do so identifiable.

Article 58 .- The heads who feel they have suffered harm or damage to their property or rights as a result of non compliance with the provisions of this Act by the person or the manager, may exercise their rights as they deem appropriate for purposes of compensation appropriate, in terms of the relevant legal provisions.

CHAPTER VIII

Verification Procedure

Article 59 .- The Institute shall verify compliance with this Act and the regulations which it derives. The check may be initiated automatically or on request. The verification shall automatically when the failure to give judgments for legal proceedings and the protection of rights referred to previous chapter or presumed founded and substantiated the existence of violations of this Law.

Article 60 .- The procedure for checking the Institute will have access to information and documentation it deems necessary, according to the resolution that motivates him. Federal public servants are obliged to keep confidentiality on the information known derivative of the verification. The regulation will develop the form, terms and time in which shall be dealt with the procedure referred to in this article.

CHAPTER IX

Procedure for Imposition of Sanctions

Article 61 .- If in the course of relief of the rights protection process or verification procedure performed by the Institute, he was aware of an alleged breach of any of the principles or provisions of this Act, shall initiate the procedure referred to this chapter, in order to determine the corresponding sanction.

Article 62 .- The sanctions procedure starts with the notification that the Institute made the alleged infringer, on the facts in the beginning of the procedure and give it a period of fifteen days to yield evidence and states in writing what to their right. Failure to render them, the Institute resolved according to the elements of conviction before it.

The Institute shall accept the evidence it deems relevant and proceed to its release. Also, the alleged offender may request other evidence as it deems necessary. Upon completion of the sufficiency of the evidence, the Institute will notify the alleged infringer the right to assisting you, if deemed necessary, to submit their claims within five days of notification. The Institute, after analyzing the evidence and other items of evidence it deems relevant, ultimately resolved within fifty days after the date on which initiated the prosecution. This decision must be notified to the parties.

When there is justifiable cause, the Plenum of the Institute may extend for once and for a period equal to that period.

The regulation will develop the form, terms and time frames for conducting the proceedings for the imposition of sanctions, including presentation of evidence and pleadings, hearings and closing statement.

CHAPTER X
Of Offences and Penalties

Article 63 .- constitute violations of this Act, the following acts carried out by the keeper:

- I. Failure to comply with the holder's application for access, rectification, cancellation or oppose the processing of personal data without valid reason, as provided in this Act;
- II. Negligence or deliberate act of processing and responding to requests for access, rectification, cancellation and opposition of personal data;
- III. Fraudulently declaring the absence of personal data where there is total or partially in charge databases;
- IV. Treat personal data in contravention of the principles laid down in this Act;
- V. Ignore in the privacy notice, any or all items referred to in Article 16 of this Act;
- VI. Keep personal data inaccurate when it attributed to the person responsible, or not to make the changes or cancellations that are legally due them when they are concerned the rights of holders;
- VII. Failure to comply with the warning referred to in Section I of Article 64;
- VIII. Breaching the duty of confidentiality laid down in Article 21 of this Law;
- IX. Substantially change the original purpose of processing the data, without observing the provisions of Article 12;
- X. Transfer data to third parties without communicating to them the privacy notice that contains the constraints that the holder held the disclosure of such information;
- XI. Compromise the security of databases, local, programs or equipment, where attributable to the charge;
- XII. Carry out the transfer or sale of personal data, except in cases where it is permitted by law;
- XIII. Collect or transfer personal data without the express consent of the owner, where it becomes due;
- XIV. Acts obstructing verification of the authority;
- XV. Collect data in a deceptive and fraudulent
- XVI. Continue with the unlawful use of personal information when requested by the end of it by the Institute or the owners;
- XVII. Edit personal data so as to affect or prevent the exercise of rights of access, rectification, cancellation and opposition laid down in Article 16 of the Constitution of the United Mexican States;
- XVIII. Create databases in contravention of the provisions of Article 9, second paragraph of this Act, and
- XIX. Responsible for any breach of the obligations set forth his position in terms of the provisions of this Law.

Article 64 .- **Violations of this Act shall be punished by the Institute:**

- I. The warning that the person responsible for carrying out the actions requested by the owner, as provided by this Act, as regards the cases mentioned in Section I of the preceding article;
- II. Fine of 100 to 160.000 days current minimum wage in the Federal District, as provided in sections II to VII of the preceding article;
- III. Fine of 200 to 320.000 days current minimum wage in the Federal District, as provided in Sections VIII to XVIII of the previous article, and
- IV. In case of continuing violations repeatedly cited in the preceding paragraphs shall be imposed an additional fine which will go from 100 to 320.000 days current minimum wage in the Federal District. In the case of infringements committed in the processing of sensitive data, the penalties may be increased to twice the amounts laid down.

Article 65 .- The Institute shall establish and justify their decisions, considering:

- I. The nature of the data;

- II. The glaring impropriety of the denial of responsibility, to perform the acts requested by the holder in terms of this Act;
- III. The intentional or not, the act or omission constituting the infringement;
- IV. The economic capacity of the responsible and
- V. Recidivism.

Article 66 .- The penalties stipulated in this Chapter shall be imposed without prejudice to civil or criminal liability that results.

CHAPTER XI

Of the Crimes in Respect of Personal Data Abuse Treatment

Article 67 .- will be imposed for three months to three years in prison which is authorized to process personal data, for profit, causing a breach of security to the databases in their custody.

Article 68 .- It is punishable by imprisonment from six months to five years, with the aim of achieving a rent-seeking processes personal data by deception, taking advantage of the error you are the owner or the person authorized to transmit.

Article 69 .- In the case of sensitive personal data, the penalties referred to in this Chapter shall be doubled.

TRANSIENT

FIRST .- This Decree shall enter into force the day following its publication in the Official Journal of the Federation.

SECOND .- The Federal Executive shall issue the regulations of this Act within one year after its entry into force.

THIRD .- The designated responsible person or department to the personal data referred to in Article 30 of the Act and its privacy notices issued to holders of personal data in accordance with the provisions of Articles 16 and 17 at the latest one year after the entry into force of this Law

FOURTH .- The holders may exercise their rights against those responsible for access, rectification, cancellation and opposition referred to in Chapter IV of the Act, as well as to initiate, if necessary, the procedure for protection of rights set forth in Chapter VII of the same, eighteen months after the entry into force of the law

FIFTH .- Pursuant to the provisions of section three transitional Decree adds fraction XXIX-O article 73 of the Constitution of the United Mexican States, published in the Official Journal of the Federation on April 30 2009, local regulations regarding the protection of personal data held by individuals is appealing, and repealing other provisions contrary to this Law

SIXTH .- The references prior to the entry into force of this Decree, are made in the laws, treaties and international agreements, regulations and other jurisdictions to the Federal Institute of Access to Public Information, in the future shall be made to the Institute Federal Access to Information and Protection of Personal Data.

SEVENTH .- The shares that, pursuant to the provisions of the Federal Law on Personal Data Protection of Private Ownership, appropriate to make the Federal Executive will be subject to the approved budgets of the institutions concerned and the provisions of Federal Law Budget and Fiscal Responsibility.

EIGHTH .- The Expenditure Budget of the Federation for Fiscal Year 2011 items deemed sufficient for the proper functioning of the Federal Institute of Access to Information and Protection of Data on the subjects of this Law

SECOND ARTICLE. It amends articles 3, Sections II and VII, and 33, and the name of Chapter II of Title Two of the Federal Law of Transparency and Access to Government Public Information, to read as follows:

Article 3 .- For the purposes of this Act shall apply:

- I. ...
- II. Personal Data: Any information concerning an identified or identifiable
- III. to VI. ...
- VII. Institute: The Federal Institute of Access to Information and Data Protection, established in Article 33 of this Act;
- VIII. to XV. ...

CHAPTER II

Institute

Article 33 .- The Institute is an organ of the Federal Public Administration, with operational autonomy, budgetary and decision-making, responsible for promoting and disseminating the right to information, ruling on the denial of requests for access to information and protect personal data held by agencies.

TRANSIENT

ONE .- This Decree shall enter into force the day following its publication in the Official Journal of the Federation.

Mexico, D.F., to April 27, 2010 .- Dip. Francisco Javier Ramirez Acuna, President .- Sen. Carlos Navarrete Ruiz, President .- Dip. Georgina Trujillo Zentella, Secretary .- Sen. Renan Cleominio Zoreda Novelo, Secretary .- Headings. "

In compliance with the provisions of section I of Article 89 of the Constitution of the United Mexican States, and for its due publication and observance, I issue this Decree at the residence of the Federal Executive in Mexico City, Distrito Federal to June 28 of two thousand and ten .- Felipe de Jesús Calderón Hinojosa .- Signature .- The Secretary of the Interior, Mr. Fernando Francisco Gómez Mont Urueta .- Signature.