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Many companies today are struggling to get a grip on the specific requirements and practical modalities of breach notification in all the countries in which they operate. Data Breach Notification At-a-glance Advisory is an extremely useful tool to these companies and their advisers, especially when time is of the essence

Bastiaan Bruyndonckx, Counsel at Linklaters

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Mexico: IFAI publishes security guidelines for public consultation

The Mexican Data Protection Authority (IFAI) published - on 10 September 2013 - their draft Data Security Guidelines (the Guidelines) for public consultation. The Guidelines recommend companies adopt a Safety Management System of Personal Data (SGSPD), as well as internationally recognised standards issued by the International Organisation for Standardisation (ISO) and the Organisation for Economic Co-operation and Development (OECD).

Cédric Laurant, IT & Copyrights Manager at Dumont Bergman Bider, told DataGuidance: "Although the Mexican Data Protection Law required companies to implement a minimal set of security measures by 21 June 2013, many companies have not done so and stay at a low level of compliance with the rules. The Guidelines would provide useful guidelines for companies to improve how they implement information security rules into their operating processes to make their privacy policies - which many companies already have drafted so far - match how they effectively process personal data".

The Guidelines outline the recommended process for the adoption of a SGSPD. Organisations should: establish the scope and objectives of the SGSPD; develop a policy for personal data management; establish roles and obligations of those who process personal data; develop an inventory of personal data; analyse the risks to the data subject; and identify safety measures.

“The IFAI has started to show its teeth against infringing companies - there is no more time left to postpone compliance.”

The Guidelines also detail processes for continuous monitoring and improvement of the SGSPD, such as corrective and preventative actions and employee training. A comparative table outlines how the recommendations will assist companies' compliance with the corresponding data security requirements under Chapter 3 of the Data Protection Law.

Laurant said: "The string of recent high monetary sanctions by the IFAI against companies that violated the Data Protection Law demonstrates that the Mexican Data Protection Authority has started to show its teeth against infringing companies and that there is no more time left for businesses to postpone compliance".

The IFAI recently increased their enforcement by imposing fines on non-compliant Mexican companies, including a [€1m fine on Banamex, the Mexican division of Citibank](#).

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Address: 17 The Timber Yard, Drysdale Street, London, N1 6ND, UK | Phone: +44 (0)20 7012 1380 | Email: info@dataguidance.com