

# Data Protection Authority Registration and Data Protection Officer Requirements for Data Controllers: Peru

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A Q&A discussing obligations for private-sector data controllers in Peru to notify, register with, or obtain authorization from the data protection authority under Peru's comprehensive data protection law before processing personal data. It also discusses any requirements for data controllers to appoint a data protection officer (DPO) and any applicable notification or registration obligations relating to DPO appointments. This Q&A does not cover notification, registration, or authorization requirements for data processors or arising under sectoral laws. For an overview of the data protection law in Peru, see [Country Q&A, Data Protection in Peru: Overview](#).

## Data Protection Authority

### 1. What is the name and contact information of the country's data protection authority or supervisory authority responsible for data protection?

#### Name

Peruvian National Authority for Personal Data Protection (NAPDP)

#### DPA Contact Information

**W:** [www.gob.pe/autoridad-nacional-de-proteccion-de-datos-personales](http://www.gob.pe/autoridad-nacional-de-proteccion-de-datos-personales) (in Spanish)

**E:** [protegetusdatos@minjus.gob.pe](mailto:protegetusdatos@minjus.gob.pe)

## Notification or Registration

### 2. Does the country's comprehensive data protection law require private-sector data controllers to notify or register with the data protection authority before processing personal data?

Yes. The Peruvian [Personal Data Protection Law](#) (Law No. 29733), which [Legislative Decree 1353](#) amended (together, the Amended PDPL), and [Personal Data Protection Regulation](#) (all in Spanish), which Supreme Decree No. 003-2013-JUS approved (PDP Regulation) require private-sector data controllers to notify or

register with the data protection authority. There is no requirement to register before processing personal data. It can be done at any time, including when the personal data bank is created. (Article 78, PDP Regulation.)

### General Notification or Registration Requirements

The Amended PDPL and PDP Regulation do not use the term "data controller" but apply to any public or private person or legal entity processing personal data and refer to them as holders of personal data banks.

Holders of personal data banks must register with the NAPDP (Article 28(8), Amended PDPL; Article 78, PDP Regulation).

For registration, holders of the personal data bank must fill out a form and provide:

- The name and location of the personal data bank.
- The holder of the personal data bank's identity and, where appropriate, the identification of the person processing personal data on behalf of the personal data bank holder.
- The data bank's purpose and use.
- The type of personal data the data bank includes.
- The security measures the data bank implements.
- Procurement procedures and the system of processing personal data.
- Any third-party recipients of personal data transfers.

(Article 79, PDP Regulation.)

Holders of the personal data banks must update the registry to reflect any changes. The forms are available on the NAPDP's [website](#).

## Cross-Border Data Transfers

International data transfers require the recipient or importer of personal data to assume the same obligations as the exporter of personal data (Articles 2(9), (11) and 24, PDP Regulation; for more on recipients, importers, and exporters of personal data, see [Country Q&A, Data Protection in Peru: Overview: Question 2](#)). The data exporter must also notify the NAPDP about the cross-border flow, however, this obligation can be fulfilled by making a declaration on data bank registration form. The NAPDP does not need to authorize the personal data transfer. Companies may also transfer data cross-border to other companies within their economic group through a code of conduct that establishes the internal rules to protect the personal data (similar to binding corporate rules in other jurisdictions) (Article 31, Amended PDPL; Article 21, PDP Regulation). Companies must register their code of conduct with the NAPDP. A [form](#) (in Spanish) is available on the NAPDP's website.

A holder of a personal data bank may request an opinion from the NAPDP about whether the cross-border data transfer complies with the Amended PDPL and PDP Regulation (Article 26, PDP Regulation).

The forms are available on the NAPDP's [website](#). For more on rules that regulate cross-border data transfers in Peru, see [Country Q&A, Data Protection in Peru: Overview: Question 20](#).

## Authorization

### 3. Does the country's comprehensive data protection law require private-sector data controllers to seek authorization from the data protection authority before processing personal data?

No. The Peruvian [Personal Data Protection Law](#) (Law No. 29733), which [Legislative Decree 1353](#) amended (together, the Amended PDPL), and [Personal Data Protection Regulation](#) (all in Spanish), which Supreme Decree No. 003-2013-JUS approved (PDP Regulation) do not use the term "data controller" but apply to any public or private person or legal entity processing personal data and refer to them as holders of personal data banks.

The Peruvian data protection laws and regulations do not require holders of personal data banks to obtain

authorization from the NAPDP before processing personal data, but they do need to register with or notify the NAPDP about personal data processing (see Question 2).

## Data Protection Officers

### 4. Does the country's comprehensive data protection law require private-sector data controllers to appoint a data protection officer?

No. The Peruvian [Personal Data Protection Law](#) (Law No. 29733), which [Legislative Decree 1353](#) amended (together, the Amended PDPL), and [Personal Data Protection Regulation](#) (all in Spanish), which Supreme Decree No. 003-2013-JUS approved (PDP Regulation) do not require private-sector data controllers to appoint a data protection officer.

### 5. If the comprehensive data protection law requires private-sector data controllers to appoint a data protection officer (DPO), do data controllers have any obligations to notify or communicate the DPO's contact details to the data protection authority or register with the data protection authority?

See Question 4. For contact information for the NAPDP, see Question 1.

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