

Mexico City, April 20, 2021.

Decree creates the National Registry of Mobile Telephony Users.

Dear Clients and Friends,

On April 16, 2021, the Decree amending and adding several provisions of the Federal Telecommunications and Broadcasting Law (the "Decree") that creates the National Registry of Mobile Telephony Users (the "PANAUT") was published in the Official Gazette of the Federation.

Pursuant to the Decree, the PANAUT is a database with information of the individuals or legal entities that own each mobile telephone line and whose purpose is to collaborate with the competent authorities in matters related to security and justice in matters related to the commission of crimes.

Pursuant to the Decree, the PANAUT will contain the following information:

1. Mobile telephone line number;
2. Date and time of activation of the mobile telephone line acquired in the SIM card;
3. Full name or, as the case may be, name or company name of the user;
4. Nationality;
5. Official identification number with photograph or Unique Population Registry Code of the holder of the line;
6. **Biometric data of the user and, if applicable, of the legal representative of the legal entity**, in accordance with the general administrative provisions issued by the Institute for such purpose;
7. Address of the user;
8. Data of the telecommunications concessionaire or, as the case may be, of the authorized parties;
9. The contracting scheme of the mobile telephone line, whether postpaid or prepaid, and
10. The notices updating the information referred to in this article.

Registration in the PANAUT will be mandatory for all holders of a mobile telephone line. Telecommunications concessionaires will have a term of two years from the publication of the Decree to register all their clients. Mobile telephone lines that are not registered within the term provided will be cancelled immediately.

The Decree establishes a term of 180 calendar days for the Federal Telecommunications Institute to issue the general administrative provisions detailing which biometric data must be collected and how.

In Mañón Quintana Abogados we consider that the collection of biometric data of all cell phone line users violates several human rights enshrined in the Constitution, such as the right to identity, the right to the presumption of innocence, the right to the protection of personal data and privacy; in addition to violating several principles such as proportionality and minimization of personal data.

To combat this Decree, it is possible to file a constitutional action (amparo), tending to the non-application of the rule to the claimant.

The lawyers of Mañón Quintana are at your service to attend and resolve any questions related to the scope of this document.

Sincerely,

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