SmartSuite

Framework / Privacy / Global Privacy Regulations

Colombia Personal Data Protection Law (Law 1581 of 2012)

Ley 1581 de 2012 is Colombia's general data protection law: prior authorization, habeas data rights, SIC supervision, the RNBD and fines up to 2,000 monthly minimum wages.



What it is

Ley Estatutaria 1581 de 2012 is Colombia's general personal data protection law. It requires public and private entities that process personal data in Colombia to obtain prior, express and informed authorization from the data subject (titular), to respect the habeas data right to know, update and rectify data, and to answer to the Superintendencia de Industria y Comercio (SIC). The law is dated October 17, 2012, and took effect on promulgation (Diario Oficial 48.587, October 18, 2012); article 28 gave existing processors six months to adapt.

The Congress of Colombia enacted the law, and the SIC supervises it through its Delegatura para la Protección de Datos Personales (article 19). Decreto 1377 of 2013, now compiled in Chapter 25 of Decreto 1074 of 2015, adds rules on authorization, privacy notices, processing policies and demonstrated accountability. The Registro Nacional de Bases de Datos (RNBD) rules sit in Chapter 26 of the same decree, as amended by Decreto 090 of 2018.

At a glance

PUBLISHER Congress of Colombia (supervised by the Superintendencia de Industria y Comercio)	TYPE Regulation	VERSION Ley Estatutaria 1581 de 2012; regulated by Decreto 1377 de 2013 (compiled in Decreto 1074 de 2015) and Decreto 886 de 2014
EFFECTIVE October 2012 (on promulgation, article 30)	DOMAIN Privacy	FAMILY Global Privacy Regulations
REGION Colombia	ADOPTION MODEL Regulatory Compliance	IMPLEMENTATION COMPLEXITY Medium

Source: sedeelectronica.sic.gov.co/transparencia/normativa/ley-estatutaria-1581-de-2012

Why it matters

- **A clear lawful basis** Processing needs prior, express and informed authorization kept in a form that can be consulted later (articles 4 and 9), with narrow exceptions such as public data and medical emergencies (article 10).
- **Rights with deadlines** A titular can consult data and expect an answer within 10 business days, and can file a claim to correct, update or delete within 15 business days, each with one limited extension (articles 14 and 15).
- **Accountability the SIC can test** Decreto 1377 requires controllers to show, when the SIC asks, that they have effective measures in place, and the SIC takes those measures into account when it sets sanctions (articles 26 and 27).
- **Care for sensitive data and minors** Sensitive data may be processed only in the cases listed in article 6, and children's data only where it is public or the processing respects their best interests and fundamental rights (article 7; Decreto 1377, article 12).

How SmartSuite supports Law 1581/2012 (Colombia)

Database and Authorization Register

Record each base de datos, its purpose, the authorization obtained for it and whether it holds sensitive or children's data (articles 5 to 9).

Consulta and Reclamo Workflow

Track each consulta against the 10 business day deadline and each reclamo against the 15 business day deadline, including the "reclamo en trámite" legend and extension notices (articles 14 and 15).

Processing Policy and Privacy Notice Control

Version the política de tratamiento and the aviso de privacidad, and keep evidence that titulares received them (Decreto 1377, articles 13 to 16).

Processor Contracts and Transfers

Hold each transmission contract with an encargado and the legal route for any international transfer, including the article 26 exceptions or an SIC declaration of conformity.

Security Incident Log

Log security-code violations and the report to the SIC required by articles 17 and 18, with cause, data affected and remediation.

RNBD and Accountability Reporting

Track RNBD registration and updates, and build dashboards showing the evidence of effective measures that the SIC can request under Decreto 1377, article 26.

Common framework mappings

APEC PF | LGPD | Convention 108+ | GDPR | ISO 27001:2022 | ISO 27002:2022 | ISO 27701 | NIST Privacy Framework v1.0

Official resources

Ley Estatutaria 1581 de 2012 (SIC)

The SIC's page for Law 1581 of 2012, with the full law as a PDF attachment.

sedeelectronica.sic.gov.co/transparencia/normativa/ley-estatutaria-1581-de-2012

Ley 1581 de 2012, consolidated text (Senado de la República)

Consolidated text of Law 1581 of 2012 from the Secretaría del Senado, with Constitutional Court notes and amendment status, updated September 30, 2026.

secretariasenado.gov.co/senado/basedoc/ley_1581_2012.html

Decreto 1377 de 2013 (Función Pública)

Decree regulating Law 1581: authorization, privacy notices, processing policies, international transfers and demonstrated accountability; compiled in Decreto 1074 de 2015.

funcionpublica.gov.co/eva/gestornormativo/norma.php?i=53646

Registro Nacional de Bases de Datos (SIC)

The SIC's page on the national database registry: who must register, the deadlines under Decreto 090 de 2018, and the legal basis in Chapter 26 of Decreto 1074 de 2015.

sic.gov.co/registro-nacional-de-bases-de-datos

Frequently asked questions

Who must comply with Law 1581 of 2012?

Public and private entities that process personal data in Colombia, and controllers or processors outside Colombia when Colombian law applies to them under norms or treaties (article 2). The law excludes databases kept for personal or domestic use and several categories such as national security, intelligence, journalism and databases governed by Law 1266 of 2008.

What must a controller do before processing personal data?

It must obtain prior, express and informed authorization in a way that can be consulted later (articles 4 and 9). At collection it must state the purpose, that answers on sensitive or children's data are optional, the titular's rights and its own contact details (article 12). Decreto 1377 accepts authorization in writing, orally or by unequivocal conduct, never by silence (article 7).

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How long does a controller have to answer a data subject?

A consulta must be answered within 10 business days, extendable once by up to 5 business days with reasons (article 14). A reclamo to correct, update or delete data must be answered within 15 business days, extendable by up to 8 (article 15). A titular may complain to the SIC only after using these steps (article 16).

Who enforces Law 1581 and what are the penalties?

The SIC, through its Delegatura para la Protección de Datos Personales (article 19). Against private entities it can impose fines of up to 2,000 monthly minimum wages, suspension of processing for up to six months, temporary closure and immediate closure of operations that process sensitive data (article 23). Cases against public authorities go to the Procuraduría General de la Nación.

Must databases be registered in the RNBD?

Article 25 created the Registro Nacional de Bases de Datos, administered by the SIC. Under Decreto 090 of 2018, companies and non-profits with total assets above 100,000 UVT, and public legal entities, must register; databases created later must register within two months. Other controllers are still bound by Law 1581.

License included / downloadable: Yes Ley Estatutaria 1581 de 2012 is a public law published in the Diario Oficial and available free from the SIC, the Senate of Colombia and Función Pública.

Full framework page and mappings: smartsuite.com/frameworks/colombia-personal-data-protection-law-law-1581-of-2012

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