

Call Recording and the Law – The Country of Mexico

Notice

This guide is meant as a general introduction to electronic recording and its implications. This information does not constitute legal advice and we recommend you contact a lawyer within your state when you have a particular question or concern.

General Overview

Mexican authorities have a large breadth when it comes to wiretapping unless it's related to politicians or elections. There is no specific reference to wiretapping and consumers or business to business. Admissibility has come into question at times as well. When it comes to private citizens, there is a few items to consider:

The Mexican Constitution (Art. 16) protects a person's privacy in that it curtails divulgement of private information and the equivalent of warrantless searches. However, again the question of defining privacy has not been contemplated relative to call logging, one party notification, etc.

There is also a General Communication Law that provides for interrupting communications and divulging secrets. However, again the question of defining privacy, what a legal interruption is, and what a secret is has not been contemplated relative to call logging, one party notification, etc.

Some reference sites are below:

Here's a link to the General Communication Law:
<http://www.diputados.gob.mx/LeyesBiblio/pdf/73.pdf>

And to the Penal Code (Art. 210):
<http://info4.juridicas.unam.mx/ijure/tcfed/8.htm>