

HOW TO COMPLY WITH THE BRAZILIAN DATA PROTECTION LAW?

DOES MY ORGANIZATION PROCESS PERSONAL DATA IN BRAZIL? OR DOES MY ORGANIZATION COLLECT OR PROCESS THE PERSONAL DATA OF INDIVIDUALS LOCATED IN BRAZIL?

Yes

Although similar, there are significant differences between the LGPD and the General Data Protection Regulation (GDPR)

No

RISKS OF NOT COMPLYING WITH THE LGPD



Administrative fine lawsuits and payment of indemnification to affected individuals



Prohibition of processing personal data and prohibition of doing business in the country



reputational damage - image and trademark



Lack of customers and partners confidence



Devaluation of stocks and assets

STEP-BY-STEP TO OBTAIN COMPLIANCE



DATA MAPPING

Review and translate into Portuguese the data mapping. Identify if all the requirements for data governance are met in the country.



ACTION PLAN AND DIAGNOSTIC

Based on the mapping, build an action plan. To the extent possible, the tropicalization of a privacy program for Brazil shall preserve the privacy program guidelines as currently applied, with minimal changes



IMPLEMENTATION

Execute the action plan. Create or adjust a privacy and data protection governance program. Among other activities (non-exhaustive list), review, translate into Portuguese (where required) or draft (a) local privacy notices, (b) information security policies, (c) contracts with third parties and suppliers, (d) international data transfer mechanisms, (e) incident response plan, (f) data retention policy, (g) communication plan with the Brazilian data protection authority, (h) review of marketing and human resources practices, (i) internal investigation/audit processes, (j) create a support channel for responding to data subjects requests (k) create training and awareness programs for employees



TREINAMENTO E MANUTENÇÃO

Training and awareness activities of employees who process personal data. Upon completion of the initial compliance effort, maintain compliance with the requirements of LGPD in new internal processes, products and services.

ONGOING COMPLIANCE WITH THE LGPD

New internal processes, products and services must be continuously assessed from a privacy and data protection perspective.

Please see our comprehensive material on privacy and data protection for further information

