

TERRITORIAL SCOPE

Applies to any processing or collection of data that occurs in Brazil or the processing is for the purpose of offering goods or services to individuals located in Brazil.



Applies to both the private and public sector organizations, and to organizations outside of Brazil that do business in Brazil.

THE PLAYERS

Data Subjects



Data Controllers



Data Processors

National Data Protection Authority (ANPD)



PERSONAL DATA



Identified

Identifiable

SENSITIVE DATA

Racial or Ethnic Origin



Religious Belief



Political Opinions



Health or Sex Life

Trade Union or Religious, Philosophical, or Political Organization Membership



Genetic or Biometric Data



CONSENT



Consent must be free, informed, and unambiguous. Data subjects can withdraw consent at any time.

For personal data (but not sensitive data), the consent requirement is waived for "data manifestly made public by the data subject." The GDPR doesn't have this waiver.

PRINCIPLES OF DATA PROCESSING

Purpose

processing of data must be done for legitimate purposes of which the data subject is informed



Transparency

data subjects must have clear, precise, and accessible information about the processing of their data

Suitability

processing of data must be compatible with purposes communicated to the data subject



Security

data must be protected by technical and administrative measures

Necessity

processing of the data is the minimum necessary to achieve the purposes



Prevention

measures must be adopted to prevent damages due to the processing of personal data

Free Access

data subjects must be informed about the form and duration of the processing

Nondiscrimination

data cannot be processed for unlawful or abusive discriminatory purposes

Quality of the Data

data must be accurate, clear, relevant, and up-to-date

Accountability

effective measures for compliance must be adopted

Training



Data Protection Officer (DPO)

DPO need not be physically located in Brazil and can be a third party entity.

Security Program



Respond to Data Subject Requests



Governance Program



LAWFUL PROCESSING

Recognizes 10 lawful bases to process personal data:

- consent of the data subject
- compliance with law
- government implementation of laws and contracts
- carrying out studies by research entities
- execution of a contract involving the data subject
- exercise of rights in legal proceedings
- protection of life or physical safety
- protection of health by health providers
- when necessary for legitimate interests
- protection of credit



ENFORCEMENT

DATA BREACH NOTIFICATION

Under the LGPD, the deadline for data breach notification is within a "reasonable time" while the GDPR has a more specific deadline of 72 hours.



Fines

Up to 50 million reais (approximately US \$12 million or €11 million) or 2% of total revenue in Brazil, whichever is higher.



Civil Liability

RIGHTS OF DATA SUBJECTS

Right to Access



Right to Confirm Occurrence of Data Processing



Right to Delete Data Processed with Consent



Right to Delete Unnecessary and Non-Compliant Data



Right to Data Portability

Right to Revoke Consent



Right to Information About Denying Consent

Right to Correction



Right to Information About Entities with Whom Data Has Been Shared



For individual use only



INTERNATIONAL DATA TRANSFER



Adequate Level of Data Protection

Proven Compliance



Standard Contractual Clauses





Privacy Awareness Training
for Global Organizations



Impeccable Expertise

Our training is created by Professor Daniel Solove, one of the world's leading privacy and security experts.

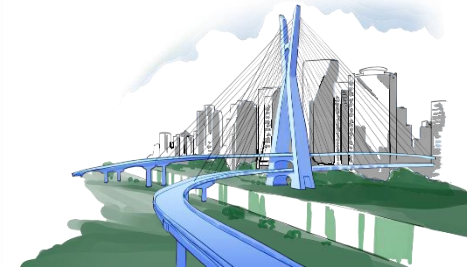
Clear and Engaging

Masterful use of concrete examples, quiz questions, activities, games, and vignettes.

100+ Topics



BRAZIL'S LGPD



LGPD Course
~ 12 mins

Course Outline

- ▶ Introduction
- ▶ Scope and Applicability
- ▶ The Players
- ▶ Personal Data
- ▶ Sensitive Data
- ▶ Anonymized Data
- ▶ Lawful Processing
- ▶ Principles of Data Processing
- ▶ Individual Rights
- ▶ Consent
- ▶ Responsibilities of Organizations
- ▶ Data Breach Notification
- ▶ International Data Transfer
- ▶ Enforcement
- ▶ Conclusion



LGPD INTEACTIVE WHITEBOARD

A short course (5 mins) about Brazil's LGPD



See Our LGPD Courses:

www.teachprivacy.com/brazil-lgpd-training-courses

Contact Us:

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