

Centre for Information Policy Leadership (CIPL) and
Centro de Direito, Internet e Sociedade of Instituto Brasiliense de Direito Público (CEDIS-IDP)

Roundtable

Main operational challenges concerning legal bases for processing: legitimate interests and consent

Via Zoom—in Portuguese

— Chatham House Rule —

Thursday, 18 March 2021

From 10:00 AM to 11:30 AM (Brasília) | From 1:00 PM to 2:30 PM (London)

AGENDA

CEDIS-IDP and CIPL invite you to this first exclusive 2021 roundtable organised as part of our [joint Effective LGPD project](#), which explores topics related to the effective implementation and regulation under the new Brazilian data protection law (LGPD). The discussions held in this roundtable will inform the drafting of a forthcoming paper as part of the CIPL & CEDIS-IDP project.

Under the LGPD, data processing can only occur if it is based on at least one of several legal bases for processing (Arts. 7, 8 and 10). The new Brazilian data protection authority (*Autoridade Nacional de Proteção de Dados* – ANPD) plans to start working on guidance on this topic in H2 2022, according to its [2021-2022 work plan](#). This webinar will explore the key practical challenges that organizations face when determining which legal basis to rely upon for their data processing activities, with a focus on legitimate interests and consent.

This roundtable follows the webinar “Implementing the legal bases for processing under the LGPD and other data protection laws: legitimate interests and consent”, which happens on the day before of this roundtable.

This roundtable will have limited participation to enable discussions among all participants. Registrations should be limited to one person per organisation and will be on a first-come, first-served basis.

10:00 AM Roundtable discussions

This will be a moderated discussion concerning the questions outlined below. All participants are asked to actively participate in the discussion.

Moderator:

❖ **Giovanna Carloni**, Global Privacy Policy Manager, CIPL

Questions for discussion:

- What are the main challenges and solutions that organizations in Brazil are facing when defining the legal bases for processing under the LGPD?
- Do Brazilian organizations still consider consent to be the main legal basis?
- Can organizations rely on legal bases other than consent for the processing of children’s personal data?

- How can organizations ensure that consent is valid under the LGPD (freely-given, informed, unambiguous, related to a specific purpose)?
- What is the relation between legitimate interests and the principle of accountability?
- Should organizations undertake legitimate interests assessments in all circumstances if they decide to rely on this legal basis for processing?
- Can Brazilian organizations rely on templates and guidance developed in other jurisdictions for legitimate interests assessments in the absence of ANPD guidance?
- Can organizations further process personal data for purposes that are different than the initial purposes? Should they rely on a different legal basis for such processing?
- How can small and medium enterprises (SMEs) scale down processes to define the legal bases for processing personal data and be able to evidence their thinking?

11:30 AM **End of roundtable**