

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

Roundtable

Appointing a Data Protection Officer under the LGPD: organizational challenges

Via Microsoft Teams—in Portuguese

—Chatham House Rule—

Wednesday, 28 October 2020

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

AGENDA

CIPL and CEDIS-IDP invite you to this DPO roundtable organized as part of our [joint-project](#) on 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.

The LGPD requires controllers to appoint a person to be in charge of the organization’s data processing activities (Article 41), which, in practice, means their data privacy compliance and data privacy management program. This person—called the “encarregado” or, most commonly, the Data Protection Officer (DPO)—will (i) serve as the main point of contact between the controller, data subjects and the ANPD (Article 5, VIII); be responsible for acting upon data subject and ANPD requests (Article 41, paragraph 2); and provide advice and guidance to the organization on data protection and LGPD compliance (Article 42, paragraph 2).

This roundtable follows “Webinar 5 – Appointing a Data Protection Officer under the LGPD: the basics and international experience”, which happens on the day prior to this roundtable, 28 October 2020. It will focus on the challenges that organizations are facing in relation to appointing a DPO and the specific points that are still open for the Brazilian data protection authority (the Autoridade Nacional de Proteção de Dados—ANPD) to regulate and provide guidance on.

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

10:00 AM Introductions and goals for the roundtable

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

10:10 AM Roundtable discussion—Appointing a Data Protection Officer under the LGPD: organizational challenges

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

Moderators:

- ❖ **Laura Schertel**, Lawyer, Professor and Director of CEDIS-IDP

- ❖ **Danilo Doneda**, Lawyer, Professor and Director of CEDIS-IDP
- ❖ **Giovanna Carloni**, Global Privacy Policy Manager, CIPL

Questions for discussion:

- What challenges are organizations facing in relation to structuring the role of the DPO under the LGPD?
- Do Brazilian organizations understand the importance of the role of the DPO and how the DPO should be strategically placed within the organization?
- What are the gaps and uncertainties of the LGPD's rules concerning appointing a DPO? What are the areas that should be further clarified and regulated by the Brazilian data protection authority (Autoridade Nacional de Proteção de Dados—ANPD)?
- What are the uncertainties concerning the role of the DPO considering the Brazilian legal regime that goes beyond the LGPD—such as personal liability?
- Are Brazilian organizations finding it difficult to identify the right person to be the DPO? Is there a lack of qualified individuals in the market? Is there current DPO-focused training available and is it effective?

11:30 AM

End of roundtable