

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

Webinar 5

Appointing a Data Protection Officer under the LGPD: key challenges and international experience

Via Microsoft Teams—in English

Tuesday, 27 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 the fifth webinar organized as part of our [joint-project](#) on the “Effective Implementation and Regulation under the New Brazilian Data Protection Law (LGPD)”.

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 webinar will focus on the basic aspects of the LGPD and key challenges concerning the role of the DPO, the difference between the requirements of the LGPD and of other jurisdictions such as the GDPR concerning this role, and practical examples of how international organizations have structured this role internally.

This webinar will be followed by a smaller roundtable in Portuguese, to discuss the more specific challenges that Brazilian 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.

10:00 AM Introductions and the importance of the role of the DPO

- ❖ **Bojana Bellamy**, President, CIPL
- ❖ **Laura Schertel**, Lawyer, Professor and Director of CEDIS-IDP
- ❖ **Danilo Doneda**, Lawyer, Professor and Director of CEDIS-IDP

10:15 AM Appointing a Data Protection Officer under the LGPD: the basics and international experience

- ❖ Moderator: **Bojana Bellamy**, President, CIPL

Provocateurs:

- ❖ **Eduardo Magrani**, Partner, Demarest Advogados
- ❖ **Andreia Saad**, Regulatory Affairs Manager, Grupo Globo
- ❖ **Vanessa Butalla**, Legal Director, Serasa/Experian

- ❖ **Flavia Mitri**, Privacy Legal Director – LATAM, Uber
- ❖ **Emma Butler**, Data Protection Officer, Yoti

Questions for discussion:

- What is the DPO's role in relation to data protection compliance and the overall LGPD implementation program? Consider the DPO having a strategic role of a "trusted advisor" within the business.
- How have international organizations strategically structured the role of the DPO in terms of skills, level of seniority and internal reporting lines?
- What are the specific challenges of appointing a DPO for small and medium organizations?
- Should all organizations appoint a DPO under the LGPD?
- Does the LGPD require the DPO to be independent and avoid conflicts of interest? What does it mean for a DPO to be independent?
- Can organizations leverage internal resources to perform the role of the DPO—such as DPOs appointed in other jurisdictions, or people working on other roles? Can they contract an external DPO?
- Does the DPO have personal liability for data protection non-compliance under the LGPD and other Brazilian laws?
- What is the difference between the role of the DPO under the LGPD and the European General Data Protection Regulation (GDPR)?
- Does the Belgian DPA decision on the Proximus case have any impact on how organizations subject to the LGPD should appoint their DPO? Could this decision have any impacts on the ANPD's future guidance on this topic?

11:10 AM **Questions and Answers**

11:30 AM **End of webinar**