

## Law no. 14,010/2020 and its impacts on the Brazilian data protection framework

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Law no. 14,010/2020, enacted last Friday, and derived from Bill of Law no. 1,179/2020, establishes the Emergency and Transitory Legal Regime of relations in private law, based on the Covid-19 pandemic.

Amongst other topics, article 20 amends the LGPD, postponing to August 1<sup>st</sup>, 2021, the applicability of its articles 52, 53 e 54 of the LGPD, which provide for administrative sanctions.

There is also uncertainty about Provisional Measure No. 959/2020, which extends the LGPD's *vacatio legis* to May 3, 2021. Congress has until August 29<sup>th</sup>, 2020, to approve or reject the Provisional Measure, which, if not analyzed, will lose its effects.

With the publication of Law No. 14,010/20, the current scenario consists of the LGPD coming into force on May 3<sup>rd</sup>, 2021, and the application of its sanctions only as of August 1<sup>st</sup>, 2021. However, this is not the only possible scenario: if Provisional Measure No. 959 lapses or is rejected, the LGPD will come into force on August 16<sup>th</sup>, 2020, with its sanctions applicable according to Law No. 14,010 (August, 2021).

The best-case scenario is to keep moving forward with the compliance projects, using possible additional deadline as a period of test and correction of implemented compliance measures. One more reason to keep the compliance going is the fact that some consumerist organizations and the Brazilian Prosecutor's Office are already using the articles of the Brazilian Data Protection Law to support their claims in cases involving data protection in general.

Our team specialized in Digital Law is monitoring the news regarding data protection. If you would like to receive further information, please do not hesitate to contact us at [digital@kasznarleonardos.com](mailto:digital@kasznarleonardos.com).