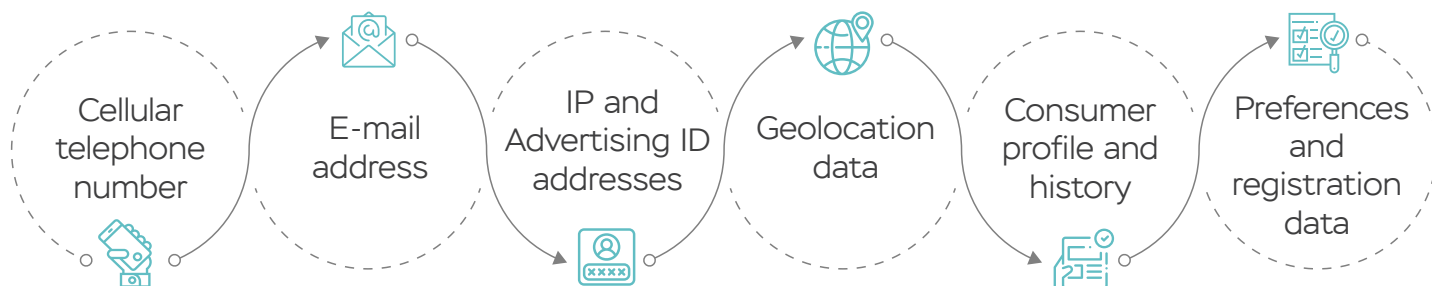




What will the impact be?

Marketing activities (online or offline) will be greatly impacted by the new data protection regulations. The challenge will be to reconcile increasingly disruptive technologies with the principles and legal bases of the new law, which, with some care, is fully feasible. In Europe, the GDPR's largest fine so far was 50 million euros for alleged lack of clarity over data use for targeted advertising.

Which data is subject to the LGPD?











When is use of data allowed (main legal bases)?

A
Consent (opt-in) of the data subject



B
Legitimate interest of the company in leveraging its activities

Tips for complying with the LGPD

-  Adopt privacy policies or notices that clearly explain the use of data for marketing purposes
-  Evaluate the need for the data for the intended purposes
-  Implement opt-out mechanisms
-  Raise the awareness of members of the department about the LGPD
-  Avoid the use of sensitive data (e.g., ethnicity, health data, sexual and political preference), since the legal basis of legitimate interest cannot be applied to these
-  Legally evaluate which legal basis is applicable to each situation
-  Ensure a proper consent flow, when this is the appropriate legal basis
-  Perform a proportionality test to evaluate the application of legitimate interest