

POSSIBLE CHANGE OF LGPD EFFECTIVE DATE UPDATE

Although the provision that Law 13709/2018, **General Data Protection Law ("LGPD")**, will be effective on May 3, 2021 is still temporarily in force by virtue of Provisional Measure 959 ("MP 959"), published on April 29, 2020, a new amendment may be approved soon.

Bill 1179/2020 ("PL 1179/20"), approved by the Federal Senate on the last 19th, maintains the original date for the entry into force of the LGPD, that is, **August 15, 2020**, but excepts the **effective date of provisions related to the imposition of sanctions**, which would entry into force **only on August 1st, 2021**.

Thus, the **current scenario** is:

- MP 959 provision for the **effectiveness of the LGPD on May 3, 2021, is effective, but subject to approval** by the Chamber of Deputies and the Senate **to become definitive**
- In case **MP 959 is not approved** in the legal term, the current LGPD wording that determines **its effectiveness will start on August 15** will be kept valid – but **subject to the exceptions** regarding sanctions, **in case PL 1179/20 is approved by the President**.

Remarks:

- The President has a 15-days term to approve PL 1179/20 and can veto part of it – what leads to the reanalysis of the vetoed excerpt by the Congress.
- It is possible, still, that deputies and/or senators, when analyzing MP 959, set new dates and terms regarding the LGPD.

That is, there are still possibilities of amendments regarding LGPD dates. We will follow up on the matter and will inform about any news.

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