

LGPD – Law No. 13,709/2018

LGPD is Brazil's data protection law that governs how organizations collect, process, and protect personal data.

LGPD

What it is

The Brazil LGPD (Lei Geral de Proteção de Dados – Law No. 13,709) is a comprehensive data protection regulation that establishes requirements for how organizations collect, process, store, and share personal data in Brazil. Its primary purpose is to strengthen data privacy rights for individuals and improve organizational accountability regarding data protection practices.

Enacted by the Brazilian National Congress and enforced by the National Data Protection Authority (ANPD), the LGPD applies to public and private sector organizations handling personal data within Brazil, regardless of where the data processor is located. The law covers areas such as data subject rights, legal bases for processing, security incident reporting, risk management, transparency, and privacy governance.

At a glance

PUBLISHER Presidência da República - Casa Civil	TYPE Framework	VERSION 2018
EFFECTIVE February 15, 2020	DOMAIN Privacy	FAMILY Global Privacy Regulations
REGION Brazil	ADOPTION MODEL Regulatory Compliance	IMPLEMENTATION COMPLEXITY High

Source: <https://www.pnm.adv.br/wp-content/uploads/2018/08/Brazilian-General-Data-Protection-Law.pdf>

Why it matters

- **Strengthen data protection practices** Advance the safeguarding of personal data by enforcing clear requirements for handling, storing, and sharing sensitive information.
- **Enhance regulatory alignment** Ensure compliance with Brazilian data privacy laws while supporting interoperability with international regulations like the GDPR.
- **Support individual privacy rights** Enable transparent processes for handling data subject requests and strengthen individuals' control over their personal data.
- **Improve incident detection and response** Mandate timely reporting of data breaches and enhance organizational preparedness for privacy-related incidents.

How SmartSuite supports LGPD

Legal Basis and Processing Inventory

Maintain processing records with lawful basis, purposes, sharing, and retention.

Data Subject Rights Request Workflows

Manage access, correction, deletion, and portability requests with deadlines and proof.

Privacy Risk Assessments and Controls

Track DPIAs/assessments where needed and manage mitigations with approvals.

Processor and Vendor Oversight

Manage processor contracts, safeguards, and ongoing monitoring evidence.

Incident Response and Notification Readiness

Capture breach timelines, decisions, and corrective actions for compliance.

Accountability Reporting

Report request metrics, open issues, and compliance posture across teams.

Common framework mappings

APEC PF

GDPR

ISO 27001:2022

ISO 27701

NIST Privacy Framework v1.0

UK DPA 2018

UK GDPR

Official resources

Brazilian General Data Protection Law (LGPD)

Official publication of Brazil's comprehensive data protection regulation, Law No. 13,709.
planalto.gov.br/ccivil_03/_ato2015-2018/2018/lei/L13709.htm

ANPD – Regulatory Guidelines for LGPD

Outlines guidelines provided by the National Data Protection Authority for implementing the LGPD.
gov.br/anpd/pt-br

LGPD Implementation Roadmap

Provides a roadmap for organizations to implement the LGPD requirements effectively.
gov.br/anpd/pt-br/documentos-e-publicacoes

LGPD Overview by the Brazilian Government

Describes the key elements and objectives of the LGPD framework.
planalto.gov.br/ccivil_03/_ato2015-2018/2018/lei/l13709.htm

Frequently asked questions

What is the Brazil LGPD used for?

The Brazil LGPD is used to regulate the collection, processing, storage, and sharing of personal data within Brazil. Its primary goal is to protect data subjects' privacy rights and ensure organizations manage personal data responsibly in compliance with defined legal requirements.

Is compliance with the Brazil LGPD mandatory?

Yes, LGPD compliance is mandatory for both public and private sector organizations that process or handle personal data in Brazil, regardless of where the data processor is located. Non-compliance can result in administrative sanctions, fines, and reputational risks.

Who does the Brazil LGPD apply to?

The LGPD applies to any organization or individual, domestic or international, that processes personal data in Brazil or processes data collected in Brazil. It covers controllers and processors, including subsidiaries, service providers, and outsourced entities.

What are the key compliance requirements under the Brazil LGPD?

Key compliance requirements include establishing lawful bases for data processing, honoring data subject rights, appointing a Data Protection Officer (DPO), performing privacy impact assessments, implementing technical and organizational security controls, and maintaining transparent policies and breach notification processes.

How should organizations implement LGPD controls?

Organizations implement LGPD by performing data mapping, updating privacy and security policies, integrating access controls, conducting regular risk assessments, and establishing procedures for breach notification and handling data subject requests. Documented policies and ongoing training are critical for operational compliance.

How does LGPD relate to other data protection frameworks like GDPR?

LGPD shares many similarities with the GDPR, such as principles of lawfulness, fairness, transparency, and data subject rights. However, there are differences in compliance obligations, legal bases, and reporting requirements. Organizations often align LGPD efforts with their GDPR programs for efficiency and global audit readiness.

What are the ongoing compliance obligations for LGPD?

Ongoing compliance requires continuous monitoring of data processing activities, regular policy and risk assessments, keeping privacy documentation up to date, training staff, and responding promptly to data subject requests and security incidents. Organizations must maintain records to demonstrate compliance to the ANPD during audits or investigations.

How would SmartSuite support Brazil LGPD?

SmartSuite can help organizations manage Brazil LGPD compliance by enabling risk tracking, maintaining a library of controls, and automating evidence collection for audits. The platform supports operational workflows for policy management, incident response, and data subject request tracking, providing dashboards and reporting tools to ensure continuous compliance and audit readiness.

License included / downloadable: Yes Brazil's LGPD is national legislation and is publicly available through official government sources. No commercial license is required to access the law itself.

Full framework page and mappings: smartsuite.com/frameworks/brazil-lgpd-lei-geral-de-protecao-de-dados-law-no-13709-2018