Privacy in Latin America and the Caribbean

At Salesforce, Trust is always our #1 value and nothing is more important to us than the success of our customers, which includes preserving the security and privacy of our customers’ data. We have a robust privacy program that meets the highest industry standards, and Latin America and the Caribbean are no exception. We have documentation and practices in place to ensure the transfer and processing of our customers’ data is done in accordance with law. Additionally, Salesforce is actively monitoring the region for developing laws and rules that affect our services.

Several countries in Latin America and the Caribbean have established national (and in some cases also local) data protection and privacy laws that govern how companies can collect and use the personal data of their citizens. One country that has an expansive and rapidly developing privacy legal framework is Brazil. Brazil has enacted a national law (commonly referred to as “LGPD”) which is similar in scope and scale to the European General Data Protection Regulation, or GDPR, but that has Brazil-specific requirements. Below you can find more information about the LGPD and what Salesforce is doing to ensure our customers can continue to rely on us in Brazil and throughout all of Latin America and the Caribbean.

Brazil Privacy Law FAQs

What is the LGPD?

Enacted in August 2018, the LGPD goes into effect August 2020. The LGPD includes several new rules regarding personal data processing activities governing things such as collection, production, storage, use, transfer, sharing, and erasure of information concerning identified or identifiable people.

The LGPD also establishes the Brazilian Data Protection Authority, which consists of five commissioners. The commissioners are supported by a Data Protection Council of 23 members working in a multi-stakeholder model: 10 from governmental bodies and 13 members divided as follows: 3 from civil society; 3 from academic institutions; 3 from confederations of the industry sector; 2 from the private sector, and 2 from labor union organizations.

Similar to other data protection authorities, the Brazilian Data Protection Authority has a three-part mandate:

1. investigating potential violations of the LGPD, including by requesting information from controllers and processors of personal data;
2. enforcing the LGPD through an administrative process and punishing non-compliance; and
3. providing information about and interpretation of the LGPD, including providing standards for services and products that process personal data, deliberating on the
meaning of the language of the LGPD, and conducting studies on national and international practices for the protection of personal data and privacy.

How does Salesforce help its customers comply with the LGPD when they use Salesforce’s services?

Salesforce has implemented procedures and controls designed to ensure that personal data submitted to Salesforce’s online services is processed only as instructed by the customer. Salesforce's processing of data submitted to our services (“Customer Data”) is governed by our [Data Processing Addendum](#), which is tailored to meet global data privacy law requirements. Our Data Processing Addendum is accessible online and includes: (i) an obligation for Salesforce to access and use Customer Data only in accordance with our customers’ instructions; (ii) a commitment to assist customers in responding to the exercise of rights by individuals whose personal data is processed by customers using Salesforce’s services; (iii) provisions requiring Salesforce personnel to keep information confidential; (iv) obligations regarding Salesforce’s use of sub-processors engaged in the processing of personal data; (v) information about Salesforce’s security controls; (vi) security breach notification commitments; and (vii) details regarding Salesforce’s return and deletion of Customer Data.

How does Salesforce help protect Brazilian Customer Data?

Salesforce has a privacy and security program focused on the processing, disclosure, and protection of Customer Data. Salesforce has implemented technical measures to help secure its services and offers customers configurable controls and tools to protect Customer Data. Salesforce also uses independent third parties to regularly audit, validate, and certify Salesforce’s information technology and privacy measures and controls to ensure we are doing the very best to protect Customer Data.

For more details on Salesforce's privacy and security program, please see the Security, Privacy, and Architecture Documentation for each service, available [here](#).