



"This event provided me with invaluable information and an ideal networking opportunity. I will of course be taking the information and knowledge gained from the event back to the office and putting it into practical application."

ROB LEANEY, LLOYDS BANKING GROUP

"Very in-depth, not superficial, lively discussion, interesting participants."

KATHARINA WEIMER, REED SMITH

"Open atmosphere of the discussion. Very good organisation and food."

DR. BARBARA TOMASI, CRO-PHARMANET SERVICES

"The presence of the regulators is excellent and a great opportunity to hear the news on our issues. They explained the legislation in less legal and more practical terms, with real life examples."

JENNIFER DUNNE, BARCLAYS

PL&B Client companies include:

25 of the Global Top 50, 24 of Europe's Top 50,
25 of the UK Top 50 in the *Financial Times* lists;
10 of the Global Top 20 in the *Fortune* lists;
17 of the UK's Top 20 law firms in the UK Legal 500.

Privacy Officers Network Lawyers' Briefings & Roundtables with Data Protection Commissioners

Portugal Briefing & Roundtable

November 24th/25th 2010, Lisbon, Portugal

United Kingdom Roundtable

January 27th 2011, London, UK

France Briefing & Roundtable

April 5th/6th 2011, Paris, France

Register for these events and get more information
at www.privacylaws.com

ROUNDTABLE PROGRAMME

LAW SOCIETY CPD HOURS

Portugal's Data Protection Law

Lawyers' Briefing & Roundtable with DP Commissioners

ATTENDING THIS BRIEFING AND ROUNDTABLE will help you to protect your reputation and reduce your legal risks and costs from failure to comply with Portugal's data protection law, which differs from some EU Member States. You will learn about strong Data Protection Commission policies on, for example: whistle blowing, drug and alcohol use records, e-mail, Internet and video monitoring in the workplace, and international transfers of personal data.

Briefing Agenda 24th November, 2010, Lisbon, Portugal

09.00 Registration and Coffee

09.30 Welcome and Introduction

Magda Cocco, Partner, Vieira de Almeida & Associados, Lisbon
Stewart Dresner, Chief Executive, Privacy Laws & Business, UK

09.50 Unique features of data privacy in Portugal

Magda Cocco, Vieira de Almeida & Associados, Lisbon

- ▶ General overview of the Portuguese data privacy scene
- ▶ Top data privacy issues in Portugal:
Specific data privacy issues in Portuguese legislation;
Processing of personal data for marketing purposes;
Database management – legal and practical issues concerning data retention periods and deletion of data;
Portugal's Data Privacy Authority – powers and practices
Specific practical issues regarding particular sectors (e.g., telecoms, pharmaceutical, financial services)

11.00 Coffee Break

11.30 Privacy challenges for human resources compliance

Jacinto Moniz de Bettencourt, Attorney, Uría Menéndez, Lisbon

- ▶ Whistleblowing procedures
- ▶ Harassment policies
- ▶ Internet and e-mail monitoring

12.15 Outsourcing

Leonor Vale de Castro, Associate, Vieira de Almeida & Associados, Lisbon

- ▶ Negotiating privacy aspects of an outsourcing agreement
- ▶ Liability in data processing – distinction between data controller/data processor (who is liable?)

12.45 A practical approach to data privacy issues

Introduction of speakers by *Leonor Pimenta Pissarra, Managing Associate, Vieira de Almeida & Associados, Lisbon*

Pedro Freitas, Legal Director, Associação Portuguesa da Indústria Farmacêutica, Lisbon

Lurdes Marques, Legal Adviser, Barclays Bank, Lisbon

13.15 Lunch

14.15 Data privacy issues in international data transfers

Inês Antas de Barros, Associate, Vieira de Almeida & Associados, Lisbon

- ▶ General Overview of the legal scene
- ▶ Binding Corporate Rules/EU Standard Contractual Clauses/Intra-Group Agreements
- ▶ International data transfer to African Portuguese speaking countries – main issues and data privacy law in Angola, Mozambique and the Cape Verde Islands

15.00 How to prepare for inspections, audits and dawn raids by Portugal's Data Protection Authority (CPND)

Sofia Ribeiro Branco, Managing Associate, Vieira de Almeida & Associados, Lisbon

- ▶ How does the CNPD decide who to inspect?
- ▶ Who should be responsible in your company?
- ▶ Preparing a plan

16.00 Coffee Break

16.15 Questions & Answers

Margarida Couto, Partner, Vieira de Almeida & Associados, Lisbon

Open Q&A session to speakers, for example:

- ▶ What kind of data security should my company adopt?
- ▶ What should we do if a laptop computer with personal data is lost or stolen?
- ▶ How should I add privacy to our current audit program?
- ▶ How should I respond if the police requests access to telecommunications and/or e-mail records?
- ▶ How can I persuade management to put privacy on their agenda?
- ▶ Do I need to appoint a Data Protection Officer? If so, what is their role?

17.00 Close



Host: **VIEIRA DE ALMEIDA & Associados** Sociedade de Advogados, R.L.



British-Portuguese Chamber of Commerce
Câmara de Comércio Luso-Britânica

Future Privacy Officer Network Events

United Kingdom Commissioner Roundtable 27th January 2011, London, UK

A members-only discussion in the morning; *Christopher Graham*, the Information Commissioner, discusses your questions in the afternoon.
More Information: www.privacylaws.com/epon_29

Host: **LATHAM & WATKINS LLP**

France Lawyers' Briefing & Commissioner Roundtable April 5th/6th 2011, Paris, France

Briefing & Briefing Host: Bird & Bird, Paris
More Information: www.privacylaws.com/epon_30



Roundtable Host: **TOTAL**

Roundtable Agenda 25th November, 2010, Lisbon, Portugal

09.00 Registration

09.20 Welcome and Introduction

Dr. Luís Novais Lingnau da Silveira, President, Comissão Nacional de Protecção de Dados (CNPd); *Stewart Dresner*, Chief Executive, *Privacy Laws & Business*, UK and Chair for the Roundtable

09.30 Framework for the Commission's decision making

Isabel Cruz, Secretary General, CNPD, Lisbon

- ▶ The constitution, the law and the Commission's codes and guidance
- ▶ Human resources
- ▶ Notification fees and the transition from paper to online notification to the Commission

10.00 Employment issues

Sónia Sousa Pereira, Legal Service, CNPD, Lisbon

- ▶ The Commission's new policy on whistle blowing: A framework for responsible, confidential, but not anonymous, allegations to permit a right of response by the accused
- ▶ Health records and use for management of fitness to work and absence from work
- ▶ Drug and alcohol use records: Criteria for an acceptable access and use policy according to relevance to an individual's role within the organization; and distinction between working time and out of work behaviour

10.40 Questions & Answers

11.00 Coffee Break

11.20 Surveillance

Dr. Luís Novais Lingnau da Silveira, President, CNPD, Lisbon

- ▶ E-mail and Internet monitoring in the work place
- ▶ Telephone monitoring in the work place
- ▶ Monitoring of business and private calls using a company mobile phone or other mobile device
- ▶ Tracking of mobile phones and their location in working and non-working hours
- ▶ Call centres
- ▶ Video surveillance
- ▶ Duties of controllers and processors
- ▶ Monitoring using biometric monitoring, for example, fingerprint, palm and iris scanning

12.20 Questions & Answers

13.00 Lunch

14.00 International transfers of personal data outside the European Economic Area

Clara Guerra, Consultant, International Relations, CNPD, Lisbon

- ▶ The Commission's view of the Binding Corporate Rules (BCR) mutual recognition procedure and other countries' Data Protection Authorities' approval of BCR
- ▶ Rationale for the Commission's policy for European Union model contracts and inter-group agreements
- ▶ Duties of controllers and processors
- ▶ The US Safe Harbor program

- ▶ A company designating a processing operation 'adequate' even though it is not in a country declared to be 'adequate' by the European Commission (EU Data Protection Directive Art 26.2 – interpretation of 'adequate safeguards')

14.40 Questions & Answers

15.00 Enforcement: Inspections

Carlos Campos Lobo, Commissioner, CNPD, Lisbon

- ▶ How does the Commission decide which organisations to inspect?
- ▶ When does the Commission give advance notice and when does it not do so?
- ▶ Who are in the Commission's inspection team?
- ▶ How much time does an inspection take?
- ▶ Does the inspected organisation have an opportunity to comment on the draft report?
- ▶ In which circumstances will the Commission decide to make recommendations rather than impose a sanction?
- ▶ If a fine is imposed, how can the company appeal?
- ▶ Will the inspection report be published and, if so, how, for example, the Commission's annual report, website?
- ▶ In what circumstances does the Commission delegate its power of inspection to the police?

15.20 Questions & Answers

15.30 Coffee Break

15.45 Enforcement: Prosecutions

Carlos Campos Lobo, Commissioner, CNPD, Lisbon

- ▶ In what circumstances does the Commission prosecute?
- ▶ How can a company defend itself?

16.00 Questions & Answers

16.10 Enforcement: Non-authorisation of a type of processing

Vasco Almeida, Commissioner, CNPD, Lisbon

- ▶ If the Commission refuses to authorize a type of processing (making it illegal), how can a company appeal?
- ▶ If the Commission uses its power to shut down a database, how can a company appeal?
- ▶ If a company applies for Commission authorisation to start a type of processing, for example, video surveillance, what should it do if it has not received a reply within a period of, for example, three months?

16.30 Questions & Answers

16.40 Open Q&A Session

17.00 Close



Previous Privacy Officer Network Events

- ▶ Madrid, Spain
- ▶ Rome, Italy
- ▶ Czech Republic, Hungary and Poland in Prague
- ▶ Paris, France
- ▶ Argentina's Commissioner in Montreux, Switzerland
- ▶ Australia's Commissioner in Montreux, Switzerland
- ▶ Berlin and Frankfurt, Germany
- ▶ Dublin, Ireland
- ▶ Greece and Portugal in London
- ▶ Russia's new law, London
- ▶ Stockholm, Sweden
- ▶ Helsinki, Finland
- ▶ Brussels, Belgium
- ▶ The Hague, Netherlands
- ▶ Luxembourg
- ▶ Warsaw, Poland
- ▶ Zurich, Switzerland
- ▶ London, United Kingdom
- ▶ Ra'anana, Israel
- ▶ BCRs, Washington DC
- ▶ European HR issues, Washington DC
- ▶ Canadian HR issues, Toronto
- ▶ Asia Pacific Briefing, London
- ▶ Asia-Pacific Conference, Strasbourg

About Privacy Laws & Business

Privacy Laws & Business has been providing data protection newsletters, conferences, advice and consultancy, privacy laws audits, and in-house training for over 23 years. The *Privacy Laws & Business* team works in a co-operative spirit with Privacy Commissioners worldwide and privacy policy staff in international organisations.

Privacy Laws & Business client companies include the UK Top Ten, 8 of the Global Top 10 and 7 of Europe's Top 10 in the *Financial Times* lists; 14 of the USA's Top 20 in the *Fortune* list; and 70% of the top 20 law firms in London and UK Legal 500 lists.

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- PricewaterhouseCoopers
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**PL&B 23RD ANNUAL INTERNATIONAL CONFERENCE:
11-13 July 2011, St. John's College, Cambridge**

PRIVACY OFFICERS NETWORK REGISTRATION FORM

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Network Events

November 24th/25th 2010, Lisbon, Portugal

- I wish to attend this meeting **£675 + VAT**
- I am a Privacy Officers Network member (fee paid)

January 27th 2011, London, UK

- I wish to attend this meeting **£675 + VAT**
- I am a Privacy Officers Network member (fee paid)

April 5th/6th 2011, Paris, France

- I wish to attend this meeting **£675 + VAT**
- I am a Privacy Officers Network member (fee paid)

- Annual Privacy Officers Network Membership**
3 meetings/documents within a year **£1,500 + VAT**

Other membership options: www.privacylaws.com/epon

Payment Options

To secure your registration, you must either make your *payment* or send a *purchase order* 10 days before the event. Until we receive either, your registration is not guaranteed. If you cancel your registration in writing at least 21 days before an event, you must pay a £100 (plus VAT) cancellation fee or transfer your registration to a future PL&B event. After that date, no refunds will be made. VAT No.: 505 3809 59.

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