

DIGITAL LAW

# DIGITAL NEWSLETTER



10th EDITION

*Check out the latest  
news in this edition*



**ALMEIDA**  
ADVOGADOS

This is the newsletter created by our Digital Law Team, aiming to gather the most relevant news and discussions from February. Enjoy your reading!



## **BILL PROPOSES REFORM OF THE CIVIL CODE AND INCLUSION OF A BOOK ON DIGITAL LAW**

A Bill proposing a comprehensive reform of the Brazilian Civil Code (Bill 4/25), was submitted to the Senate aiming to update the legislation to reflect the social and technological transformations of recent decades. The proposal includes the creation of a dedicated book on Digital Law, setting forth the applicable legal framework for this area, covering subjects as the protection of digital avatars and the use of personal data, the concept of digital property, digital contracts and documents, and the validity of digital signatures of different types and use of digital certificates for the registration of documents including notarization.

## **STJ RECOGNIZES PRESUMED DAMAGE IN CASES OF LIFE INSURANCE DATA BREACH**

The Superior Court of Justice (STJ) has ruled that the breach of personal data of life insurance policyholders gives rise to presumed moral damages, meaning that victims are not required to prove actual harm to be entitled to compensation.

The STJ emphasized that the protection of personal data is a fundamental right, reinforcing the duty of companies to ensure the security of information, particularly health-related information, which is considered sensitive data under the LGPD, processed by insurance providers.

## **CHANGE IN THE NATIONAL IDENTITY CARD AND THE REDUCTION OF FRAUD IN FINANCIAL TRANSACTIONS**

On February 1st, 2025, Serasa Experian released a study indicating that the new National Identity Card, known as “Carteira de Identidade Nacional” (CIN) presents a fraud risk 47 times lower in financial transactions compared to traditional documents such as the “Registro Geral” (the General Register commonly known as “RG”), and the “Carteira Nacional de Habilitação” (the National Driver’s License commonly known as “CNH”). In October 2024, only 0.2% of the 2.8 million transactions conducted using the CIN showed signs of fraud.

The CIN, which will fully replace the RG by 2032, adopts the “Cadastro de Pessoa Física” (the Individual Taxpayer Registry, known as “CPF”) as the sole national identification number, thereby reducing fraud involving multiple registrations.

## **AI-ENHANCED PHISHING: CHECK POINT HIGHLIGHTS SURGE IN FRAUDULENT ATTACKS IN PORTUGUESE**

Check Point Research, a leading cybersecurity company, has issued a warning about the significant increase in phishing attacks in Portuguese, driven by the use of artificial intelligence (AI). According to the study, cybercriminals are leveraging AI to craft highly convincing and personalized messages, making phishing attempts more effective. The sophistication of these attacks makes detection more challenging for both users and conventional security systems.

Given this scenario, the need to strengthen cybersecurity measures and educate the public on the risks of AI-powered phishing is becoming increasingly critical, as is the importance of establishing ethical guidelines for AI usage and ensuring the protection of personal data.

## **E-COMMERCE AND AI: WTO PROPOSES REVIEW OF GLOBAL TRADE REGULATIONS**

The World Trade Organization (WTO) has announced a meeting with its member countries to review global trade and sales regulations considering technological advancements, particularly the use of artificial intelligence (AI). The objective is to adapt regulations to the growth of digital commerce and the impact of AI on global markets. Specialists raise concerns about the risks of inequality and economic power concentration caused by algorithms. The meeting will address the need for transparency and ethical guidelines in the use of AI in commercial transactions, with a focus on consumer privacy and cybersecurity.

## **ANPD OPENS INVESTIGATION INTO THE USE OF BIOMETRIC DATA IN FOOTBALL STADIUMS**

The Brazilian National Data Protection Authority (ANPD) has launched an investigation into the use of facial recognition technology in ticket sales and stadium entry processes by 23 football clubs in Brazil. The inquiry aims to assess compliance with the General Data Protection Law (LGPD), verifying whether biometric data processing is conducted with transparency and security.

The ANPD underscores the necessity of obtaining clear and informed user consent, as well as implementing appropriate security measures to safeguard the personal data collected, heightened protection and strict access control to sensitive data, and the preparation of a Data Protection Impact Assessment (RIPD) to evaluate the associated risks.

## **ANPD RELEASES REPORT ON PROGRESS ACHIEVED IN THE SECOND HALF OF 2024**

The Brazilian National Data Protection Authority (ANPD) published an update to the Regulatory Agenda Monitoring Report, incorporating data from the second half of 2024. The document outlines progress in the regulation of the General Data Protection Law (LGPD), highlighting advancements in key areas such as international data transfers, data protection officers, anonymization and pseudonymization, and the processing of personal data concerning children and adolescents.

## **CNJ ESTABLISHES REGULATIONS FOR THE USE OF AI TOOLS IN THE JUDICIARY**

The National Council of Justice (CNJ) has approved guidelines for the use of artificial intelligence (AI) in the Brazilian judiciary, aiming to standardize and regulate the technology across courts. The new directives ensure AI applications align with constitutional rights, prevent discriminatory biases, and expressly prohibit automated decision-making in judicial rulings. Uses of AI include helping formulate questions in hearings and detecting contradictions in real-time testimonies, classifying cases that deal with the same topic, and alerting to decisions that may be contrary to existing precedents.



## LEGISLATIVE RADAR

### PL 201/2025

Amends Law 13.709/2018 (LGPD) to require the elimination of personal data of adolescents when they reach the age of 18, ensuring their right to digital erasure and privacy.

### PL 714/2025

Modifies Law 12.527/2011 (LAI – Access to Information Law) to establish limits on the confidentiality of personal data held by public authorities, increasing transparency and accountability in government data processing.

### PL 666/2025

Amends Law 9.472/1997 and Law 12.965/2014 (Internet Civil Framework) to introduce measures for preventing and combating fraud in the telecommunications sector, strengthening consumer protection and cybersecurity.

### PL 511/2025

Amends Law 13.709/2018 (LGPD) to establish additional requirements for reporting security breaches, ensuring greater transparency and accountability in data protection.

### PL 545/2025

Modifies Law 13.709/2018 (LGPD) to allow the processing of sensitive personal data through monetary payment to the data subject, and to regulate digitalization standards for document storage.

### PRLP N. 3 (SUBSTITUTES BILL 3.821/2024)

Amends Decree-Law 2.848/1940 (Penal Code) and Law 4.737/1965 (Electoral Code) to classify the crime of digital manipulation of images by artificial intelligence, and to aggravate the penalty in cases of crimes against women and candidacies during the electoral period, and provides other measures.

### AA on social media

Follow our profile for exclusive updates and specialized legal content on Digital Law!



**Márcio Chaves**  
Partner

[mmchaves@almeidlaw.com.br](mailto:mmchaves@almeidlaw.com.br)  
+55 (11) 2714 6900 | 9828