

THE CORONAVIRUS (COVID-19) LEGISLATION INVOLVING MATTERS OF PRIVATE LAW IN BRAZIL (TRANSLATION WITH COMMENTARY)

O REGIME JURÍDICO EMERGENCIAL E TRANSITÓRIO DAS RELAÇÕES JURÍDICAS DE DIREITO PRIVADO NO PERÍODO DA PANDEMIA DO CORONAVÍRUS (COVID-19) (VERSÃO PARA A LÍNGUA INGLESA COM COMENTÁRIOS EXPLICATIVOS)

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ABSTRACT: The present work comprises the English translation of Coronavirus Act in Brazil, a piece of legislation passed in Brazil to regulate matters involving Private Law during this time of pandemic (Act n. 14,010 of 2020 - the "Emergency and Temporary Legal Framework for relationships involving Private Law during the period of Covid-19 pandemic"), which established a relevant and transitory set of rules concerning periods of limitations, adverse possession, termination of contracts, adjustment of contract terms by Brazilian courts, as well as rules regarding Family Law, Inheritance Law, Competition Law and changes on the effective date for administrative sanctions established under Brazilian General Data Privacy Act. For convenience of foreign readers, this translation also includes (i) introductory notes on the legislative process involving Bill n. 1,179 of 2020 (later enacted as Act 14,010 of 2020) and (ii) explanatory footnotes on various aspects of Brazilian legislation.

RESUMO: O presente trabalho consiste na versão para a língua inglesa da lei brasileira do coronavírus para as relações jurídicas privadas (Lei nº 14.010 de 2020 que institui o Regime Jurídico Emergencial e Transitório das Relações Jurídicas de Direito Privado no período da pandemia do coronavírus [Covid-19]), que estabeleceu regras jurídicas relevantes e transitórias envolvendo temas como prescrição, usucapião, resilição, resolução e revisão contratual, além de regras de direito de família e sucessões, direito concorrencial e referentes à vigência das sanções da Lei Geral de Proteção de Dados. Nesse sentido, e de modo a facilitar a compreensão do texto legal por leitores estrangeiros, o trabalho inclui (i) notas introdutórias sobre o processo legislativo envolvendo o então Projeto de Lei nº 1.179/2020 e (ii) notas explicativas sobre aspectos da legislação brasileira referenciada na lei.

KEYWORDS: Private Law – Brazilian temporary legal framework – Covid-19 pandemic – Coronavirus Act in Brazil – Legal relationships involving Private Law.

PALAVRAS-CHAVE: Direito Privado – Regime transitório – Pandemia da Covid-19 – Lei brasileira do coronavírus – Relações jurídicas de Direito Privado.

SUMÁRIO: Introduction. Translation of Law 14,010 (with explanatory footnotes).

INTRODUCTION

Amidst the first signs of the severity of the current global Covid-19 pandemic, legislators from several countries, such as Germany and the US, as well as the UK parliament, have strived to pass temporary legal measures to deal with the many side effects on the legal field which were either directly or indirectly caused by the pandemic. In Brazil, such efforts were no different than those observed in such countries. In late March, led by H.E. Justice José Antonio Dias Toffoli, the then President of Brazilian Supreme Federal Court (constitutional court), a group of renowned Brazilian scholars and jurists¹ including Federal High Court Judge Antônio Carlos Ferreira (Superior Court of Justice²) and Professor Otavio Luiz Rodrigues Jr. (University of São Paulo) have put efforts towards the drafting of a Bill to address such matters, based mainly on the experiences of the German and British recently passed statutes, as well as the historic *Loi Failliot*, a temporary legal statute passed by French legislature in 1918 – the last year of World War I, in order to deal with the chaotic panorama of the war, the termination of contracts and the adjustment of contract terms by French courts³.

Therefore, the aforementioned Bill aimed to establish a specific legal framework to regulate relations and juristic acts performed by individuals and companies during the period of the Covid-19 pandemic – namely the Emergency and Temporary Legal Framework for relationships involving Private Law relations (*Regime Jurídico Emergencial e*

1. The list of scholars and jurists who were involved in the drafting included Fernando Campos Scaff, Paula Forgioni, Marcelo von Adamek and Francisco Satiro, professors at the University of São Paulo School of Law (São Paulo, Brazil); José Manoel de Arruda Alvim Netto, professor at the Catholic Pontifical University (*Pontifícia Universidade Católica*) in São Paulo; Rodrigo Xavier Leonardo, professor at the Federal University of Paraná (Curitiba, Brazil); Rafael Peteffi da Silva, professor at the Federal University of Santa Catarina (Florianópolis, Brazil), as well as attorneys Roberta Rangel and Gabriel Nogueira Dias.
2. The Superior Court of Justice is the highest court for ruling non-constitutional matters, among other competences, as set forth on Article 105 of the Brazilian Constitution.
3. The influence of *Loi Failliot* is clearly mentioned on the Reasoning for the introduction of the Bill, as proposed by Senator Antonio Anastasia, representative of the state of Minas Gerais and affiliated with the Brazilian Social Democracy Party.

Transitório das relações jurídicas de Direito Privado), with its Portuguese acronym being RJET. In this sense, article 1 of the Bill established that “*This Act establishes emergency and temporary rules in order to regulate Private law relations due to the coronavirus (Covid-19) pandemic.*”. The following provisions established rules regarding limitations, forfeiture to claim rights (*decadência*), meetings of companies and condominium buildings, termination of contracts, tenancy of urban real estate, adverse possession, as well as rules related to competition law, family law, inheritance law, traffic regulations and the extension of the *vacatio legis* period established on the Brazilian Data Protection General Act (*Lei Geral de Proteção de Dados*) for the existing sanctions therein.

The Bill was presented to the Brazilian Senate (upper house of the National Congress) for the first time on March 30th, 2020 by Senator Antonio Anastasia (Bill n. 1,179/2020). In the following days, 88 amendments were offered by representatives, which reinforced the importance of the Bill. Most of the amendments were rejected upon further analysis and the Bill was promptly passed by the Senate on April 03rd, 2020 with slight amendments to the original wording⁴. On April 13th, 2020, the Bill was submitted to the Chamber of Deputies (lower house of the National Congress) and passed on May 14th, 2020 a substitutive amendment to the Bill (Amendment Bill n. 1,179/2020)⁵. On the same week, the substitutive amendment to the Bill was returned to the Senate and rejected on May 19th, 2020. Hence, the Bill (originally passed by the Senate in April) was finally submitted for the approval of the President of the Republic on May 21, 2020.

On June 10th, 2020, the President of the Republic Mr. Jair Messias Bolsonaro, albeit vetoing some of the provisions, approved the Bill, enacted as Act n. 14,010 of June 10th, 2020, henceforth and immediately establishing the Emergency and Temporary Legal Framework for relationships involving Private Law. According to legislative procedures established on the Brazilian Constitution, the presidential veto of such provisions was subsequently acknowledged in a joint session including members of the Chamber of Deputies and the Senate, which was held between August 19th and August 20th, 2020. Most of the presidential vetoes were then rejected by the majority of the entire membership of the Congress, and the final version of the Act was published on the government gazette on September 08th, 2020.

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4. The new Bill wording included amendment n. 85, previously offered by Senator Fabiano Conatarato (affiliated with the Sustainability Network Party - Rede), which was related to guidelines concerning policies of urban mobility.
 5. The substitutive amendment to the Bill passed by the Chamber of Deputies removed Articles 17 and 18 of the Bill (which were previously incorporated to the Bill due to the Senate's approval of amendment n. 85, as referred on footnote 4) removed the provision which established the effective date of the General Data Protection Act to January 1st, 2021, considering that, at that time, a presidential Bill with immediate effects (yet subject to Congress approval - in Portuguese: *medida provisória* - “provisional measure” n. 959/2020) modified the effective date provision of the General Data Protection Act to May 03rd, 2021.

This translation is based on the final version of the Act, which has been in force since the presidential vetoes were acknowledged by the Brazilian Congress and later promulgated by the President. In order to facilitate the comprehension of the Act by foreign readers, auxiliary footnotes explaining aspects of Brazilian legislation referred to in the Act have been included. In cases where the presidential veto was upheld by the Brazilian Congress, the vetoed provisions were also added as footnotes, including the reason for the veto.

TRANSLATION OF ACT 14,010 (WITH EXPLANATORY FOOTNOTES)

“Brazilian Federal Act n. 14,010 of June 10th, 2020.

Heading: (The Act) regulates the Emergency and Temporary Legal Framework for relationships involving Private Law (*Regime Jurídico Emergencial e Transitório das relações jurídicas de Direito Privado – RJET*) during the period of coronavirus (Covid-19) pandemic.

THE PRESIDENT OF THE REPUBLIC. I make it known the National Congress has passed (the following text) and I (hereby) approve the following Act:

CHAPTER I GENERAL PROVISIONS

Article 1. This Act establishes emergency and temporary rules in order to regulate relationships involving Private Law due to the coronavirus (Covid-19) pandemic.

Sole paragraph: For the purposes of the Act, the initial term of events arising from the coronavirus (Covid-19) pandemic shall be considered as March 20th, 2020, which corresponds to the publication date of Legislative Decree n. 6^o.

Article 2. The suspension of application of the rules referred in this Act shall not cause their modification or revocation.

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6. Translator's Note [TN]: The Legislative Decree n. 6 was approved by the National Congress and published on March 20th, 2020. The decree acknowledged a financial emergency defined as a situation of 'public calamity' on Brazilian Public Finances Law (Act n. 101 of March 4th, 2000) until December 31st, 2020, due to the predicted effects of economic deterioration to be caused by the pandemic. In this sense, the acknowledgement of 'public calamity', among other consequences, eased controls over expenditures by the federal government, as established on Act n. 101 of 2000.

CHAPTER II
LIMITATIONS AND FORFEITURE TO CLAIM RIGHTS

Article 3. The periods of limitations shall be deemed as tolled or suspended, depending on the situation, from the day of enactment of the present Act until October 30th, 2020.

Paragraph 1. This article shall not be applied as long as the specific provisions regarding suspension, tollment or interruption of periods of limitations established in national law remain in place.

Paragraph 2. This article shall be applied to the forfeiture to claim rights, in accordance with the proviso set forth on Article 207 of the Brazilian Civil Code (Brazilian Act n. 10,406 of January 10th, 2002)⁷.

CHAPTER III
PRIVATE LEGAL ENTITIES

Article 4. The private legal entities that are referred under subarticles “I” to “III” of Article 44 of the Brazilian Civil Code⁸ shall comply with restrictions regarding in-person meetings and assemblies until October 30th, 2020, during the term of this Act, as well as considering sanitary measures issued by local authorities.

Article 5. The general meetings, including those in connection with purposes established under Article 59 of Brazilian Civil Code⁹, may take place until October 30th, 2020 via electronic means, irrespectively of the existence of such provision on bylaws of such legal entities.

Sole paragraph: The deliberation of attendees may occur by any electronic means to be determined by the administrator, as long as it ensures the identity of the attendee as well as the reliability of the vote, and shall produce any legal effects that are comparable to a signature provided in-person.

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7. Article 207 of the Brazilian Civil Code establishes that ‘unless otherwise expressed by law, suspension, tollment or interruption of periods of prescription (*prescrição*) shall not be applicable to the forfeiture to claim rights (*decadência*).’
 8. The private legal entities referred under subarticles “I” to “III” of Article 44 of the Civil Code are associations (a not-for-profit organized group of individuals), partnerships and corporations in general, as well as foundations (not-for-profit legal entities with fixed aims as defined on Article 62 of the Brazilian Civil Code).
 9. The purposes are (i) the dismissal of directors; and (ii) the establishment of amendments to bylaws of such legal entities.

CHAPTER IV
TERMINATION OF CONTRACTS AND ADJUSTMENT OF CONTRACT TERMS
BY COURT

Article 6. The consequences arising from coronavirus (Covid-19) pandemic on performance of contracts, including those set forth on article 393 of Brazilian Civil Code¹⁰, shall not enjoy *ex post facto* legal effects.

Article 7. For the exclusive purposes of articles 317, 478, 479 and 480 of Brazilian Civil Code¹¹, events of rising inflation, exchange rate variations, devaluation or replacement of currency shall not be deemed as unforeseen circumstances.

Paragraph 1. The rules concerning adjustment of contract terms by court as set forth in the Brazilian Consumer Defense Code (Act n. 8,078 of September 11th, 1990) as well as in the Brazilian Tenant Act (Act n. 8,245 of October 18th, 1991) are not subject to the provisions established on this article.

Paragraph 2. For the purposes of this Act, rules of consumer protection shall not be deemed applicable to contractual relations regulated by the Civil Code, including those that are solely established among businesses or entrepreneurs.

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10. Article 393 of the Brazilian Civil Code establishes ‘the debtor shall not be liable for losses arising from *caso fortuito* or *força maior*, except in cases where (the debtor) has expressly claimed liability (over such situations)’. The sole paragraph establishes that *caso fortuito* and *força maior* shall be verified under essential (*necessary*) situations where effects could have not been prevented or hindered. Oftentimes, *caso fortuito* is translated as “acts of God” and *força maior* as “force majeure”. However, such translation must be dealt with considerable care due to the many distinct meanings and legal frameworks where such terms have been used in different times.
11. Article 317 of the Brazilian Civil Code establishes that in cases which supervenes an explicit disparity between the value of the thing due (in the moment the obligation has arisen) and its value in the moment of performance, due to unpredictable events, a judge, upon request by the party (who is bound by the obligation of performance), shall adjust the contract terms in order to establish the “real value” of the thing due. There is strong debate among Brazilian scholars on the scope of this provision, especially due to its *sedes materiae* on the Code, and since it was originally created to enable monetary correction of obligations in light of rising inflation, especially in cases of court disputes, which could significantly reduce the economic value of an obligation over time. For this subject, see (in Portuguese): MARINO, Francisco de Paula Crescenzo. *Revisão Contratual*. São Paulo: Almedina, 2020. On the other hand, articles 478 to 480 establish the criteria for adjustment of long-term contracts (and also contracts where obligations shall be fulfilled in the future), influenced by the French doctrine of hardship (*théorie de l'imprévision*) and the Italian doctrine of “excessive onerosness” (*eccessiva onerosità*). It is also relevant to mention that article 7 was written on a par with Brazilian high court precedents that were established throughout the last century. In this sense, the aim of the article was not to provide innovations to the current Brazilian legal system, but to provide legal certainty and mitigate the number of lawsuits brought to court based on such claims of unforeseen circumstances for termination and adjustment of contracts. For this subject, see (in Portuguese): RODRIGUES Jr., Otavio Luiz. *Revisão Judicial dos Contratos: Autonomia da Vontade e Teoria da Imprevisão*. São Paulo: Atlas, 2006.

CHAPTER V
RELATIONS AMONG CONSUMERS AND BUSINESSES

Article 8. The application of the rule set forth on article 49 of Brazilian Consumer Defense Code¹² concerning home delivery of perishable goods, immediate consumption goods and medications is suspended until October 30th, 2020.

CHAPTER VI
TENANCY OF URBAN REAL ESTATE

Article 9. Preliminary injunctions regarding eviction on real estate property located in urban areas, as listed on article 59, paragraph 1, subparagraphs I, II, V, VII, VIII and X of Act n. 8,245 of October 18th, 1991¹³, shall not be granted until October 30th, 2020.

CHAPTER VII
ADVERSE POSSESSION

Article 10. The ownership acquisition period of real property and personal property, through any of the several modes of adverse possession¹⁴, shall be suspended as of the effective date of this Act until October 30th, 2020.

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12. Article 49 of Brazilian Consumer Defense Code establishes that whenever a consumer has engaged in transactions to purchase products, services or subscriptions without face-to-face contact (distance buying), the transaction may be withdrawn until seven (7) days later, counted from the date the transaction was performed. In this case, any amount paid by the consumer shall be fully refunded by the seller.
 13. Act 8,245 of 1991 corresponds to the Brazilian Tenant Act. Article 59 establishes situations where preliminary injunctions shall be granted by court (without the other party having been heard – *inaudita altera parte*). These situations include breach of rental agreements, termination of seasonal rentals when the tenant is still occupying the land after the term of the contract, as well as agreements executed without a provision of any tenancy guarantee, among the types permitted by the Act (such as anticipated deposits of assets or cash, surety and promises to repayment provided by insurance companies).
 14. The Brazilian Civil Code establishes a wide range of adverse possession scenarios with distinct requirements for each case. The ground rules for standard adverse possession are set forth on Article 1,238 of the Code, which defines someone ‘who has, for fifteen (15) years, without interruption or opposition, held the possession of land as if it were their own property, shall acquire the ownership, regardless of legal title and good faith’ and shall be able to request his ownership rights to be recognized by court (in a declaratory ruling). The ruling issued in this case may be presented as a legal title to enable the transfer of ownership of the land in the qualified Real Estate Registry Office.

CHAPTER VIII
CONDOMINIUM BUILDINGS

Article 11. (VETOED)¹⁵.

Article 12. The condominium general meetings, including those in connection with purposes established under Articles 1,349 and 1,350 of Brazilian Civil Code¹⁶, as well as their respective deliberations, may take place until October 30th, 2020 via electronic means. In this case, deliberations of unit owners shall produce any legal effects that are comparable to a signature provided in-person.

Sole paragraph. In case of impossibility to carry out general meetings by means of this article, the terms of building managers which have expired as of March 20th, 2020 shall be extended to October 30th, 2020.

Article 13. It is mandatory for building managers, under penalty of dismissal, to ordinarily render account of their own management actions.

CHAPTER IX
COMPETITION LAW

Article 14. The subparagraphs XV and XVII of article 36, paragraph 3, as well as subarticle IV of article 90 of Act n. 12,529 of November 30th, 2011¹⁷, shall be deemed as

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15. The vetoed article (by the President of the Republic) granted extraordinary powers to building managers, and it was read as follows: “Article 11. Under emergency circumstances and in addition to the powers conferred by article 1348 of Brazilian Civil Code, the following powers, until October 30, 2020, shall be granted to building managers:

I – (the power to) restrict the utilization of common areas in order to avoid infection by the coronavirus (Covid-19), though ensuring the access to individual units by the owners;

II – (the power to) restrict or prohibit the occurrence of gatherings, festivities, the utilization of parking spaces by third-parties, including in individual units, as a temporary potential measure in order to avoid infection by the coronavirus (Covid-19), though being forbidden to restrict the utilization of individual units by their respective owners and holders;

Sole paragraph. The restrictions and prohibitions set forth on this article shall not be applicable to events of medical care and performance of structural works and repairs that cannot be delayed.”

The reasoning for the presidential veto was that “by granting exceptional powers for building managers to restrict or prohibit the use of building’s common and private areas, (the article) eliminates autonomy and the necessity of deliberations on meetings in accordance with its rules, (thus) restricting the collective will of unit owners.”

16. The purposes are (i) the dismissal of building managers who either engage in wrongdoings, do not render account of their management actions or do not properly manage the buildings (article 1,349); and (ii) the approval of budget, condominium fees, management actions, reelection of management and amendments to condominium rules (article 1,350).
17. Act 12,529 of 2011 regulates the Brazilian Antitrust and Competition Law system. In this sense, article 36 enumerates acts which correspond to violations of the law, and in certain cases, violations of the economic order with additional sanctions. In this sense, due to the coronavirus pandemic, some of the acts which would usually be considered violations of the law, such as (i) dumping measures, i.e. the selling of goods or rendering of services below cost price without

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ineffective in connection with any acts undertaken and effective as of March 20th, 2020, until October 30th, 2020 or during the public calamity status as recognized by Legislative Decree n. 6 of March 20th, 2020.

Paragraph 1. The judgment by the relevant authority of further violations set forth on article 36 of Act n. 12,529 of November 30th, 2011, when performed as of March 20th, 2020 and during the public calamity status as recognized by Legislative Decree n. 6 of March 20th, 2020, shall take into consideration the extraordinary circumstances arising from the coronavirus (Covid-19) pandemic.

Paragraph 2. The suspension of application of article 90, subarticle IV, Act n. 12,529 of November 30th, 2011, as established on this article, does not exclude subsequent analysis of cooperation (joint venture) contracts or violations of the economic order, in the form of article 36 of Law n. 12,529 of 2011, related to arrangements that are not necessary to tackle or mitigate the consequences arising from the coronavirus (Covid-19) pandemic.

CHAPTER X FAMILY LAW AND INHERITANCE LAW

Article 15. The civil imprisonment in connection with alimony debts as set forth on article 528, paragraph 3 and subsequent of Act n. 13,105, of March 16th, 2015 (Brazilian Civil Procedure Code)¹⁸, shall be solely served under house arrest, notwithstanding the enforceability of such alimony obligations.

Article 16. The period set forth on article 611 of the Civil Procedure Code¹⁹ shall have its initial term extended to October 30th, 2020, in case of event of death, starting from February 1st, 2020.

Sole paragraph. The period of twelve (12) months established on article 611 of the Civil Procedure Code for the conclusion of inheritance proceedings, when initiated

explanation; and (ii) partially or totally cease company's activities without proven just cause; have been exceptionally permitted during the pandemic period, notwithstanding the other provisions set forth on Act 14,010. Also, the provision which demanded that certain cooperation contracts and joint venture contracts must be submitted to the Brazilian Antitrust Agency has been temporarily lifted. The aim of this provision, however, is to ease legal requirements for business arrangements that are necessary to tackle or mitigate the consequences of the pandemic. In this sense, according to Article 14, Paragraph 2 of Act 14,010, once the pandemic is over, subsequent analysis of contracts and violations of economic order which were not related to the pandemic shall be subject to scrutiny.

18. The Brazilian Civil Procedure Code authorizes civil imprisonment of debtors in connection with alimony debts, after such debts have not been voluntarily paid, for a period up to three (3) months, notwithstanding the late enforceability of such alimony obligations. The Code also establishes the debtor, while under arrest, shall be segregated from other prisoners who are not under arrest due to alimony debts.
19. Article 611 of the Civil Procedure Code establishes that inheritance proceedings shall be initiated within two (2) months from the event of death.

previously to February 01st, 2020, shall be suspended from the day of enactment of the present Act until October 30th, 2020.

CHAPTER XI
(VETOED)²⁰

Article 17. (VETOED)²¹.

Article 18. (VETOED)²².

CHAPTER XII
CLOSING PROVISIONS

Article 19. (VETOED)²³.

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20. This vetoed Chapter was related to guidelines concerning policies of urban mobility.
21. The vetoed article, which was proposed by Senator Fabiano Contarato (affiliated with the Sustainability Network Party - Rede), was read as follows: “Article 17. Ridesharing companies, under the terms of Law 12,587 of January 3, 2012, including via applications or network-based platforms, shall reduce, from the day of enactment of the present Act until October 30, 2020, the percentage of their commission on rides by at least fifteen percent (15%), assuring the transfer of such amount to the driver.
Paragraph 1. Raising prices of rides for users of the service due to the provision on the head of this article is forbidden.
Paragraph 2. The provisions set forth on the head of the article and Paragraph 1 shall be applicable to delivery services of food, medicine and such, via applications or network-based platforms.”
[TN]: The article was subject to presidential veto on constitutional grounds, based on principles of the Brazilian Constitution, including principles of freedom of competition and freedom of enterprise.
22. The vetoed article was read as follows: “Article 18. The provisions set forth on article 17 of this Act shall also be applied to taxicab services and licenses, with the aim of reducing any fees, charges, rentals or whatsoever that are applicable to the services for the driver, by at least fifteen percent (15%).”
[TN]: The presidential veto was based on the same grounds as Article 17.
23. The vetoed article was read as follows: “Article 19. The National Traffic Council (Contran) shall have the powers to issue regulations which foresee exceptional measures to loosen the enforcement of articles 99 and 100 of Act 9,503 of September 23, 1997, considering the necessity to increase the efficiency on the transportation of goods and rendering of services that are related to the tackling of effects of coronavirus (Covid-19) pandemic.
Sole paragraph. The regulations issued by Contran shall only be effective during the public calamity status as recognized by Legislative Decree no. 6 of March 20, 2020.”
[TN]: Act 9,503 corresponds to the Brazilian Traffic Code. The aim of this vetoed provision was to ease requirements regarding the maximum weight and dimensions of vehicles permitted to travel by land. The reasoning given on the presidential veto argued a conflict of powers between the Legislative and Executive branches.

Article 20. The head of article 65 of Law n. 13,709 of August 14th, 2018²⁴, shall be read with the additional item I-A, as follows:

“Article 65.
I-A – August 01, 2021, in connection with articles 52, 53 and 54. (NR)”

Article 21. This Act shall be effective as of the enactment date.

Brasília, June 10, 2020; 199th (year) of Independence; 132nd (year) of the (Proclamation of the) Republic.

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Walter Souza Braga Netto
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24. Act n. 13,709 of 2018 corresponds to the Brazilian General Data Protection Act. In this sense, articles 52, 53 and 54 establishes administrative sanctions to the controllers and processors of data. Even though the Act was passed in 2018, it was still not in effect by the time of enactment of Act 14,010, due to *vacation legis* of the Act. In this sense, due to the extraordinary situation caused by the coronavirus pandemic which would difficult the implementation of data protection measures, either by controllers or processors of data, all sanctions in connection with breaches of the Act only shall be effective as of August 01, 2021.

PESQUISAS DO EDITORIAL

Veja também Doutrinas relacionadas ao tema

- Comentários à "Lei da pandemia" (Lei 14.010, de 10 de junho de 2020 – RJET): análise detalhada das questões de direito civil e direito processual civil, de Pablo Stolze Gagliano e Carlos E. Elias de Oliveira – *RDM 7* (DTR\2020\14274);
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- Revisão judicial dos contratos no regime jurídico emergencial e transitório das relações jurídicas de direito privado na pandemia de 2020 (Lei 14.010, de 10 de junho de 2020), de Antonio Carlos Ferreira, Otavio Luiz Rodrigues Jr. e Rodrigo Xavier Leonardo – *RDCC 25/311-337* (DTR\2021\1979).