



CONFIDENTIALITY AND INFORMATION SECURITY POLICY

Version: 001.P-CIS.ALF: EN/US

Date: 10 de outubro de 2022





**CONFIDENTIALITY AND INFORMATION SECURITY POLICY
AMORIM LAW FIRM**

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CONFIDENTIALITY AND INFORMATION SECURITY POLICY

I. DECLARATION

The **ALF** Confidentiality and Information Security Policy aims to ensure the proper storage and processing of personal data and confidential information of clients or institutions by **ALF**, its Professionals, and Partners. In compliance with Law No. 13,709 of August 14, 2018 (LGPD), the Policy is guided by the principle that the processing of personal data should be designed to serve the people.

In this context, the right to personal data protection is understood as a fundamental right, which must be respected and balanced with other fundamental rights, enshrined in the Brazilian Federal Constitution of 1988 and in the International Treaties to which Brazil is a signatory country. These include, for instance, the right to respect for private and family life, the right to housing, freedom of thought, conscience and religion, freedom of expression and information, freedom to conduct a business, the right to an effective remedy and to a fair trial, and cultural, religious, and linguistic diversity.

As highlighted by the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 (GDPR), rapid technological development and globalization have created challenges for the protection of personal data, significantly increasing the levels of collection and sharing of personal data. New technologies allow private companies and public entities to use personal data on an unprecedented scale in their activities and bring a new dimension and relevance to the use and sharing of personal data.

On the other hand, more and more individuals are making their personal information public and globally available. Often, individuals share their personal data without rigorous criteria or even



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without clearly and easily identifying the risks involved in disclosing this data. In this regard, recent data protection legislations have emerged to comprehend and embrace the new reality brought by technologies that have transformed economic and social life, while simultaneously ensuring a high level of personal data protection.

This innovation in the regulatory framework also requires companies to establish a more robust and coherent internal data protection system, by rigorous enforcement of the applicable legislation on the subject and internal codes of conduct and policies. It is through this adaptation and coordination that it will be possible to ensure the security and control of the processing of personal data and confidential information. The data protection law grants individuals the right to control how their personal data is used. Therefore, when **ALF** processes data of its clients, Partners, or subcontractors stored in the **ALF** database, this is done within the rules and parameters established by data protection law.

Thus, given the relevance of this issue, **ALF** has established the Confidentiality and Information Security Policy. For the majority of services carried out in its professional activities, **ALF** acts as the data controller or Operator, processing personal data while adhering to its own strict professional obligations and internal policies when handling such data as well as when dealing with confidential information. Among these measures is the Confidentiality and Information Security Policy. Thus, this Policy aims to reinforce **ALF's** commitment and the duty of its Professionals and Partners to protect and appropriately handle all confidential information or personal data to which they have access due to their activities or affiliation with **ALF**.



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II. TERMS OF CONFIDENTIALITY AND INFORMATION SECURITY POLICY

1. DEFINITIONS

- A. **Data Protection and Compliance Officer:** a person appointed by the ALF to ensure the processing of data in compliance with applicable laws of all data and confidential information handled by the ALF and to act as a communication channel between the controller, the data subjects and the National Data Protection Authority (ANPD);
- B. **Treatment agent:** the controller and the Operator;
- C. **Database:** a structured collection of personal data, sensitive and confidential information, established in one or several locations, in electronic or physical storage;
- D. **Consent:** consent of the data subject, a freely given, specific, informed, and explicit expression of will whereby the data subject agrees, by a statement or unequivocal positive act, that personal data concerning him or her may be processed;
- E. **Controller:** a natural or legal person, governed by public or private law, who is responsible for decisions concerning the processing of personal data;
- F. **Sensitive personal data:** personal data concerning racial or ethnic origin, religious conviction, political opinion, membership of a trade union or of a religious, philosophical or political organization, genetic or biometric data when linked to a natural person; also considered sensitive personal data is personal data relating to the physical or mental health of a natural person, or sexual life, including the provision of health services that reveal information about the state of health of that person;
- G. **Institutionally sensitive data:** information relating to ALF, the company, or corporate group whose disclosure could harm or in any way impact the professional performance of the institution, including, but not limited to, access data to institutional accounts, technical,



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financial, legal or analytical data, know-how, business plans, prices, methods and processes, suppliers, current or potential customer data, projects, etc;

- H. **Personal data:** information relating to an identified or identifiable natural person ("data subject"); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier, such as a name, an identification number, location data, electronic identifiers, or to one or more specific elements of that natural person's physical, physiological, genetic, mental, economic, cultural or social identity;
- I. **Profiling:** any form of automated processing of personal data which consists of using such personal data to evaluate certain personal aspects relating to a natural person, in particular to analyze or predict aspects concerning the natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behavior, location or travel;
- J. **Recipient:** a natural or legal person, public authority, agency or other body that receives personal data communications, whether a third party or not;
- K. **Company:** a natural or legal person that, regardless of its legal form, carries out an economic activity, including companies or associations that regularly exercise an economic activity;
- L. **Corporate group:** a group consisting of the controlling company and its controlled companies;
- M. **Confidential Information:** any sensitive personal or institutional data, information pertinent to a contract on which ALF acts due to its legal functions, information that is the object of a confidentiality agreement signed with third parties, institutional or Partner information that identifies strategic actions whose disclosure may harm business management or reduce its competitive advantage;
- N. **Limitation of processing:** the insertion of a mark in the stored personal data with the aim of limiting their processing in the future;
- O. **Operator:** a natural or legal person, governed by public or private law, who processes personal data on behalf of the controller;
- P. **Binding Corporate Rules:** the internal personal data protection rules applied by the ALF Data Protection and Compliance Officer to companies or group of companies that are its Partners or Subcontractors, for transfers or set of transfers of personal data, sensitive or confidential information, necessary for the execution of a joint contract, performance of a



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coordinated activity or the relationship of partnership.

- Q. **Subcontractor:** a natural or legal person, company, corporate group, public authority, agency or other body that has a relationship to provide services, whether recurrent or occasional, to **ALF**, its Professionals and/or Partners.
- R. **Third Party:** the natural or legal person, public authority, service or body other than the data subject, the controller, the Operator and the persons who, under the direct authority of the controller or the Operator, are authorized by **ALF**, its Professionals, Partners or Subcontractors to process the personal data;
- S. **Holder:** natural or legal person to whom the personal, institutional, or confidential information that is subjected to processing refers to;
- T. **Processing:** means an operation or set of operations which are performed upon personal data or sets of personal data, by automated or non-automated means, such as collection, production, receipt, classification, use, access, reproduction, transmission, distribution, processing, filing, storage, erasure, disposal, evaluation or control of information, modification, communication, transfer, dissemination, or any other form of making available, erasure or destruction;
- U. **International processing:** (a) the processing of personal data which takes place in the context of the activities of establishments in more than one country of a controller or a Operator, where the controller or Operator is established in more than one country; or (b) the processing of personal data which takes place in the context of the activities of a single establishment of a controller or Operator, but substantially affects or is likely to substantially affect data subjects in more than one country;
- V. **Personal data breach:** a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to, personal data transmitted, stored or otherwise processed.

2. TO WHOM THE POLICY APPLIES

In general, **ALF** will act as a data controller, occasionally acting as an Operator in the processing of personal data due to its role as an international law firm. However, it may



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eventually be a subcontractor or a third party with whom personal data is shared. In any of these cases, **ALF** is considered a data processing agent for the purposes of this policy and other data protection legislations, the same applying to its Professionals, Partners, and Subcontractors, as well as the partners, directors, associates, employees, contractors, suppliers, and representatives of **ALF**, its Partners, and/or its Subcontractors.

Furthermore, due to its activities, **ALF**, its Professionals, Partners, or Subcontractors may also have access to confidential information, whether related to its clients or its operations. As a result, **ALF**, its Professionals, Partners, Subcontractors, or any potential third parties to whom these personal data or confidential information is transferred or shared for any reason are bound by all the terms of this Policy, as well as by Law No. 13.709 of August 14, 2018 (LGPD) and other applicable data protection legislations.

3. TO WHOM THE POLICY IS ADDRESSED

This Policy is directed to protect, primarily, the customers of **ALF** and its Partners, as well as, in institutional capacity, all the activity of **ALF**, its Partners and Subcontractors and Professionals who are linked to any of these parties.

4. CONFIDENTIALITY RULES

ALF, its Professionals, Partners, or Subcontractors may, based on the necessity for the execution of contracted or shared services, have access to confidential information involving any data, notes, financial or strategic information, documents, acronyms/passwords, techniques, know-how, drawings, projects, blueprints, specifications, diagrams, models, samples, flowcharts, or institutional configurations. Such information is not publicly available and is therefore considered confidential information in relation to the external environment, the dissemination and use of which could potentially cause institutional, economic, and/or moral harm to **ALF**, its Partners and Subcontractors, or even to their clients. In light of this, the present Policy establishes that:

- A.** Confidentiality rules apply to all institutional data and confidential information, ensuring the protection of the holder of such data or information. Granting access to confidential information must adhere to the principle of least privilege, where users only have



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access to essential information resources for the proper performance of their activities;

B. All information accessed in the course of **ALF's** activities, either jointly or independently with Partners or Subcontractors, must be treated as confidential information and cannot be disclosed or used for purposes other than those previously agreed upon with **ALF**;

C. Disclosure of confidential information should be limited to the resources necessary for the provision of services. In this scenario, the individual or entity with whom the information will be shared must be made aware of the confidential nature of the matters and the risks associated with breaching the duty to preserve confidentiality, in accordance with this policy;

D. The recipient of confidential information will not use or reproduce it, by any means or for any purpose, without the express and written consent of the holder of such information;

E. All confidential information made available by clients, by the **ALF**, by its Professionals, by Partners and/or by Subcontractors, due to the activities performed by them, must be returned to the Holder or destroyed by the receiver of the confidential information, as soon as it is verified that the activities that justified the treatment of the information by that party have ceased;

F. Confidential information regarding clients or joint activities, obtained by Partners or Subcontractors of **ALF** through contractual relationships or partnership agreements, may only be disclosed to their representatives, agents, advisors, collaborators, among others, who have a proven need to know such confidential information for the purposes stated herein. In this case, Partners and Subcontractors commit to informing those with whom they share confidential information about the terms and obligations of this Policy, and assume responsibility for the actions taken by those they informed in the event of a confidentiality breach;

G. Unauthorized processing of confidential information, such as collection, use, access, reproduction, transmission, distribution, processing, archiving, storage, communication, transfer, dissemination, or any other form of information disclosure, will be considered a breach of confidentiality. Violations of information confidentiality will be sanctioned in accordance with applicable laws, as well as with the terms of any contracts or agreements between **ALF** and its Professionals, Partners, or Subcontractors;



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H. Disclosure of confidential information in compliance with orders from the Judiciary or Legislative branches, regulatory and oversight bodies, or when justified by the nature of the performed activity to lawyers and auditors, does not constitute a violation of this Policy.

5. DATA HANDLING RULES

A. The data protection rules apply to personal data and sensitive personal data, which must be treated and processed ethically, confidentially and in accordance with the current national and international laws and regulations, avoiding their improper use and undue exposure;

B. Activities involving the processing of personal data must adhere to good faith and the principles stated in the LGPD, including purpose limitation, adequacy, necessity, free access, data quality, transparency, security, prevention, non-discrimination, accountability, and responsibility;

C. Considering ALF's international activities, ALF will comply with any applicable legislation regarding personal data when operating in a country different from its headquarters and will ensure, as a data controller, that whenever personal data is processed by it, it is done in accordance with the applicable local laws.

- i. When local legislation concerning personal data requires a higher level of protection, such legislation shall take precedence over this Confidentiality and Information Security Policy.
- ii. When there is no law for data protection or the law does not meet the standards established by the rules of this Confidentiality and Information Security Policy, ALF's position will be to process personal data in accordance with the rules of this Policy and the LGPD, in compliance with the principle of prohibition of suppression or reduction of fundamental rights.

D. ALF will collect only the minimum amount of personal data necessary to properly fulfill its purpose. ALF will only process personal data that is appropriate, relevant, and limited to what is strictly necessary for the purposes for which such data will be processed;

E. Individuals have the right not to be subjected to a decision solely based on automated processing by the data controller regarding the processing of their data, and to know the logic



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involved in that decision, as well as the meaning and expected consequences of such processing. **ALF**, its Partners, and Subcontractors will take necessary measures to protect the legitimate interests of individuals;

F. In accordance with the principle of purpose and adequacy, the processing of personal data should only be carried out for legitimate, specific, explicit purposes, and only if the use is compatible with the purposes informed to the data subject, with no possibility of subsequent processing in a manner antagonistic, contradictory, or irreconcilable with these purposes;

G. Processing shall be limited to the minimum necessary for the performance of the activities of **ALF**, its Partner', and Subcontractors, covering only relevant data that is proportionate and not excessive, considering the purposes of the data processing;

H. Under no circumstances may **ALF**, its Partners, or Subcontractors use personal, sensitive, or non-sensitive data for discriminatory, illegal, or abusive purposes. For further information, it is recommended to refer to other codes and policies of **ALF** [<https://www.amorimlawfirm.com/termos-legais-privacidade>];

I. Data processing may only be carried out by the Treatment Agent or by the Operator upon explicit consent from the data subject, unless **ALF** has legitimate grounds to do so without such consent, in compliance with the requirements of applicable data protection laws, particularly those outlined in the LGPD (Brazil's General Data Protection Law);

J. Data Holders must be informed accurately, clearly, precisely, and in an easily understandable manner about how their data will be used, for what purpose, and how it will be shared with Operators or Treatment Agents, if applicable, while respecting trade secrets and industrial secrets;

K. **ALF**, its Partners, and Subcontractors will explain to individuals, at the time of collecting their personal data, how that data will be processed, ensuring that individuals are informed clearly and comprehensively about the uses and disclosures made of their data;

L. **ALF**, its Partners, and Subcontractors commit to not transfer personal data acquired from **ALF**'s database to third parties without ensuring proper data protection;

M. **ALF**, its Partners, and Subcontractors commit to maintaining their database reliable and updated;

N. **ALF**, its Partners, and Subcontractors undertake to guarantee the Holders of any and all



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data processed all the rights outlined in Chapter III of Law No. 13,709, dated August 14, 2018 (LGPD);

O. ALF, its Partners, and Subcontractors declare their commitment to using technical and administrative measures to protect personal data from unauthorized access and from accidental or unlawful destruction, loss, alteration, communication, or dissemination, as well as to prevent harm resulting from the processing of such personal data;

P. ALF will maintain a record of the categories of processing activities it carries out, individually or jointly with other data controllers. Processing activities likely to result in a high risk to the rights and freedoms of data Holders will be subjected to an impact assessment;

Q. Personal data must receive adequate protection under this Policy and any applicable legislation, throughout its lifecycle, which includes collection, generation, handling, storage, and disposal. ALF, its Partners, or Subcontractors whose professionals are responsible for collected or generated data must ensure that the professionals are aware of the regulatory time of safeguarding and rules of management of its storage and disposal;

R. Disposal of data whose collection purpose has been fulfilled should be carried out effectively and definitively, considering the nature of the database in which it was stored (physical or digital);

S. ALF, its Partners, and Subcontractors shall ensure adequate training of their Professionals for data processing in compliance with ethics and professionalism, and shall define a Data Protection and Compliance Officer responsible for monitoring data processing and internal conduct regarding personal data;

T. ALF's Data Protection and Compliance Officer will manage risks through monitoring, conducting tests to detect threats, reinforcing controls, and conducting a thorough annual risk assessment of the processing activities carried out by ALF;

U. Any event involving the information security and/or cybersecurity of ALF's database, its Partners, and Subcontractors must be immediately reported to the respective Data Protection and Compliance Officer, who shall instantly isolate the impacted systems, determine the extent of the damage, and act to mitigate any resulting problems;

V. If a security incident involves personal data and results in any adverse event, confirmed or suspected, related to the breach of personal data security, such as unauthorized, accidental,



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or unlawful access resulting in destruction, loss, alteration, leakage, or any form of inadequate or unlawful data processing, which may pose risks to the rights and freedoms of the data subject, the incident must be reported to the relevant national authority if it occurs in a country other than Brazil, to the ANPD (National Data Protection Authority), and to the data subject.

If you have any doubts or questions related to the provisions of this Confidentiality and Information Security Policy, your rights under this Policy, or any other issues related to data privacy or the security of confidential information, we recommend that you get in touch with ALF through the communication channels [<https://www.amorimlawfirm.com/compliance>] or email [compliance@amorimlawfirm.com]. The **ALF** Professional responsible for the Confidentiality and Information Security Policy management will readily address the issue or refer you to the appropriate person or department within the **ALF**.

For further information, advice, and guidance on **ALF**'s code of conduct and ethical values, it is advised to carefully read the Code of Ethics and Conduct and the Anti-Corruption and Good Practices Policy, available at the link [<https://www.amorimlawfirm.com/termos-legais-privacidade>]. Professionals, Partners, and clients are also encouraged to closely review the Codes for additional instructions.